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OFFICIAL

JOURNAL OF THE PROCEEDINGS

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OF THE

CONVENTION

FOR THE

REVISION AND AMENDMENT

OF

THE CONSTITUTION

OF THE

STATE OF LOUISIANA. *Constitutional
conventions, 1864*

BY AUTHORITY.

NEW ORLEANS:
W. R. FISH, PRINTER TO THE CONVENTION
1864.

JOURNAL OF THE CONVENTION

FOR THE

REVISION AND AMENDMENT OF THE CONSTITUTION

OF

LOUISIANA.

WEDNESDAY, April 6th, 1864.

The Convention met in Liberty Hall, New Orleans, at 12 M., in pursuance of paragraph XI of General Orders No. 35, of Major General N. P. Banks, the commanding general of the department, as follows :

XI. The delegates duly elected to the Convention shall meet at Liberty Hall, Executive Building, in the city of New Orleans, at 12 o'clock M., on Wednesday, the 6th day of April, 1864.

At fifteen minutes past 12 o'clock, T. B. Thorpe, a member of the Convention, called it to order.

J. R. Terry nominated Alfred Shaw as temporary president. Carried unanimously.

W. R. Fish nominated Alfred C. Hills as temporary secretary. Carried unanimously.

In response to the unanimous invitation of the Convention, Rev. Dr. Newman offered prayer.

The following communications from S. Wrotnowski, secretary of state, were then read :

STATE OF LOUISIANA,
Office of the Secretary of State. }

In conformity to General Orders No. 35, under date of the 11th of March last, of Maj. Gen. N. P. Banks, commanding the Department of the Gulf, and to the proclamation of his excellency, Michael Hahn, governor of this State, bearing date of the 16th of said month, for an election to be held on the

28th of the same month of March, for the choice of delegates to a Constitutional Convention to be elected for the revision and amendment of the Constitution of the State of Louisiana,

The undersigned, did, this day, examine the returns received of the votes given at the elections of the 28th of March last, and found the following named delegates obtained, in the following parishes, the greatest number of votes, so far as received up to this date, to-wit :

ORLEANS.

First Representative District—Joseph Gorkinski, R. B. Bell, Geo. F. Brott, W. T. Stocker, John Stumpf, J. B. Schroeder, E. Murphy.

Second Representative District—Terrance Cook, Joseph H. Wilson, John Henderson, Jr., J. H. Stiner, M. W. Murphy, P. K. O'Conner, Alfred C. Hills, T. B. Thorpe, J. J. Healy, Geo. A. Fosdick, W. H. Hire.

Third Representative District—John W. Thomas, James Fuller, John Sullivan, J. R. Terry, O. W. Austin, John Foley, George Howes, H. W. Waters, P. Harnan.

Fourth Representative District—Alfred Shaw, R. King Cutler, Judge E. H. Durell, E. J. Wenck, Louis Gastinel.

Fifth Representative District—Edmund Abell, John Buckley, Jr., Xavier Maurer, J. P. Montamat, A. Mendiverri.

Sixth Representative District—J. V. Bofill, F. M. Crozat, Dr. F. M. Bonzano, Adolphe Bailey.

Seventh Representative District—Judge R. K. Howell, J. G. Bann, M. D. Kavanagh, H. Millsbaugh.

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Eighth Representative District—J. A. Spellicy, O. H. Poynot, J. K. Cook.

Ninth Representative District—H. Maas, E. Goldman, Edward Hart.

Tenth Representative District—John Purcell, C. W. Stauffer, W. R. Fish, Benj. Campbell, T. Barrett, Geo. W. Geier, R. S. Abbott, James Duane, Edmund Flood, J. L. Davies.

Right Bank of Mississippi (Algiers)—J. H. Flagg, W. H. Seymour.

ASCENSION.

Robert J. Duke, Emile Collin and J. E. Richard obtained, each, 61. Election contested.

ASSUMPTION.

Joseph Dupaty, James Ennis, E. J. Pin-tado.

BATON ROUGE (EAST).

W. D. Mann, P. A. Kugler, H. J. Heard.

BATON ROUGE (WEST).

Sidney A. Lobdell.

CONCORDIA.

Robert W. Taliaferro.

FELICIANA (EAST).

Jansin T. Paine, Martin Schnurr.

JEFFERSON.

Robert Morris, Samuel Pursell, Christian Roselius, John Payne.

LAFOURCHE.

J. B. Bromley, E. H. Knobloch, C. H. L. Gruneberg.

MADISON.

R. V. Montague.

PLAQUEMINES.

Lewis Lombard, Thos. J. Decker. Election contested. Votes supposed to be 246. Not entirely returned.

ST. BERNARD.

Thomas Ong.

ST. JAMES.

R. Beauvais.

ST. JOHN THE BAPTIST.

Young Burke.

ST. MARY.

Charles Smith.

TERREBONNE.

R. W. Bennie, Adolphe Gaidry.

Total number of Delegates—Orleans. . . 63

Country Parishes . . . 27

90

Total number of votes as far as received up to the 5th April, 1864, at 2 o'clock, P. M. 6184

And, therefore, the undersigned has the honor to transmit herewith to the honorable the president and members of the Convention the following statement, together with all the original returns from the parishes of this State.

Signed under his hand, at New Orleans, the 6th day of April, in the year of our Lord

1864, and of the independence of the United States of America the eighty-eighth.

[Signed] S. WROTNOWSKI,
Secretary of State.

OFFICE SECRETARY OF STATE,
STATE OF LOUISIANA,
New Orleans, April 6th, 1864.

To the honorable president of the Constitutional Convention of Louisiana:

Sir—Permit me to send you and leave to your disposition the two herewith accompanying books:

"The Rules and Orders of the House of Representatives," and "The Legislative Guide," belonging to the State Library—and believe me, very respectfully, your obedient servant,

[Signed] S. WROTNOWSKI.

Accompanying these communications were the manual referred to and the original election returns.

The roll was then called by the secretary, when the following delegates—eighty-two in number—answered to their names:

Joseph Gorlinski, John Stumpf, R. B. Bell, J. B. Schroeder, Geo. F. Brott, E. Murphy, W. T. Stocker, Terrance Cook, Alfred C. Hills, Joseph H. Wilson, T. B. Thorpe, John Henderson, Jr., J. J. Healy, J. H. Stiner, George A. Fosdick, M. W. Murphy, W. H. Hire, P. K. O'Conner, John W. Thomas, John Foley, James Fuller, George Howes, John Sullivan, H. W. Waters, J. R. Terry, P. Harnan, O. W. Austin, Alfred Shaw, E. J. Wenck, R. King Cutler, Louis Gastinel, E. H. Durell, Edmund Abell, J. P. Montamat, John Buckley, Jr., A. Mendi-verri, Xavier Maurer, J. V. Bofil, Dr. M. F. Bonzano, F. M. Crozat, Adolphe Bailey, R. K. Howell, M. D. Kavanagh, J. G. Baum, H. Millsbaugh, J. A. Spellicy, J. K. Cook, O. H. Poynot, H. Maas, Edward Hart, E. Goldman, John Purcell, Geo. W. Geier, C. W. Stauffer, W. R. Fish, James Duane, Benjamin Campbell, Edmund Flood, J. L. Davies, J. T. Barrett, J. H. Flagg, W. H. Seymour, Joseph Dupaty, James Ennis, H. J. Heard, P. A. Kugler, Martin Schnurr, Robert Morris, Samuel Pursell, Christian Roselius, John Payne, J. B. Bromley, E. H. Knobloch, C. H. L. Gruneberg, Lewis Lombard, Thomas J. Decker, Thomas Ong, R. Beauvais, Young Burke, Charles Smith, R. W. Bennie, Adolphe Gaidry.

Mr. Montamat moved to refer the communication of the secretary of state, containing a list of the delegates elect, to a committee of five. Carried.

The chair named Messrs. Thomas, Samuel Pursell, R. W. Bennie, C. H. L. Gruneberg and George F. Brott, as said committee.

The chair subsequently stated that in appointing the committee he had overlooked the fact that Mr. Montamat had made the motion for the appointment of the committee. If there was no objection he would add the name of Mr. Montamat as chairman of the committee. No objection being made, the name of Mr. Montamat was accordingly added.

Mr. Fish moved that a committee of three be appointed to report rules and regulations for the government of the Convention, and also to report what officers are necessary to carry on the business of the Convention. The motion was put to vote and declared lost.

A division of the House was then called for, pending which

R. K. Howell called for a division on the question, whereupon

Mr. Fish withdrew the last proposition contained in the motion.

A division was then taken on the first part of the motion, namely, to appoint a committee to report rules and regulations, when it appeared that 30 voted for and 41 against the motion, when it was declared to be lost.

Mr. Terry moved that the members of the Convention proceed to draw for seats.

Mr. Stocker moved to lay the motion on the table. Carried.

Mr. Harnan offered the following :

Resolved, That all motions and resolutions be put in writing.

On motion, the resolution was laid on the table.

On motion of Mr. Thomas, the Convention then adjourned until Thursday at 12 o'clock.

ALFRED C. HILLS,
Secretary pro tem.

THURSDAY, April 7th, 1864.

The Convention met at 12 o'clock, M., Alfred Shaw, president *pro tem.*, in the chair.

The roll was called and a quorum was found to be present.

Prayer was offered by Rev. J. W. Horton.

The minutes of the first day's proceedings were read and approved.

Mr. Montamat, from the Committee on Credentials, submitted the following report :
To the honorable the chairman and members of the Constitutional Convention :

The undersigned Committee on Credentials beg leave to submit the following report.

Having examined the returns of election from the parishes hereinafter named, your committee find that the following named gentlemen were duly elected :

ORLEANS.

First Representative District—Joseph Gorkinski, R. B. Bell, Geo. F. Brott, W. T. Stocker, John Stumpf, J. B. Schroeder, E. Murphy.

Second Representative District—Terrance Cook, Joseph H. Wilson, John Henderson, Jr., J. H. Stiner, M. W. Murphy, P. K. O'Conner, Alfred C. Hills, T. B. Thorpe, J. J. Healy, Geo. A. Fosdick, W. H. Hire.

Third Representative District—John W. Thomas, James Fuller, John Sullivan, J. R. Terry, O. W. Austin, John Foley, George Howes, H. W. Waters, P. Harnan.

Fourth Representative District—Alfred Shaw, R. King Cutler, Judge E. H. Durell, E. J. Wenck, Louis Gastinel.

Fifth Representative District—Edmund Abell, John Buckley, Jr., Xavier Maurer, J. P. Montamat, A. Mendiverri.

Sixth Representative District—J. V. Boffill, F. M. Crozat, Dr. M. F. Bonzano, Adolphe Bailey.

Seventh Representative District—Judge R. K. Howell, J. G. Baum, M. D. Kavanagh, H. Millsbaugh.

Eighth Representative District—J. A. Spellicy, O. H. Poynot, J. K. Cook.

Ninth Representative District—H. Maas, E. Goldman, Edward Hart.

Tenth Representative District—John Purcell, C. W. Stauffer, W. R. Fish, Benj. Campbell, J. T. Barrett, Geo. W. Geier, R. S. Abbott, James Duane, Edmund Flood, J. L. Davies.

Right Bank of Mississippi (Algiers)—J. H. Flag, W. H. Seymour.

ASSUMPTION.

Joseph Dupaty, James Ennis, E. J. Pintado.

AVOUELLES.

L. P. Normand, H. C. Edwards.

BATON ROUGE (EAST.)

W. D. Mann, P. A. Kugler, H. J. Heard.

BATON ROUGE (WEST.)

Sidney A. Lobdell.

CONCORDIA.

Robert W. Talliaferro.

FELICIANA (EAST.)

Jansen T. Paine, Martin Schnurr.

JEFFERSON.

Robert Morris, Samuel Pursell, Christian Roselius, John Payne.

LAFOURCHE.

J. B. Bromley, E. H. Knobloch, C. H. L. Gruneberg.

MADISON.

R. V. Montague.

RAPIDES.

M. R. Ariail, A. Cazabat, J. A. Newell, Thos. M. Wells.

ST. BERNARD.

Thos. Ong.

ST. JAMES.

R. Beauvais.

ST. JOHN THE BAPTIST.

Young Burke.

ST. MARY.

Charles Smith.

TERREBONNE.

R. W. Bennie, Adolphe Gaidry.

Your committee find that in the parish of Ascension, Robert J. Duke received the highest number of votes, and was duly elected.

That Emile Collin and J. E. Richard each received an equal number of votes, and consequently neither of them was elected.

Your committee have thought proper, under such circumstances, to recommend that another election be ordered in said parish of one delegate.

Upon investigating the returns from the parish of Plaquemines, it appears that the sheriff thereof was guilty of the following acts of negligence, which, in the opinion of your committee, renders the election in that parish null and void :

First—He did not appoint deputies, or cause the polls to be opened at all the various precincts in that parish.

Second—He did not cause any return to be made of the result of the poll at Fort Jackson.

Third—He has made no official return whatever of the election in that parish.

Your committee would recommend that another election be ordered in that parish.

All of which is respectfully submitted,

JOHN MONTAMAT, *Chairman*.

It was moved and seconded that the report be adopted, pending which motion Messrs. Lombard and Decker addressed the Convention relative to their respective claims.

Mr. Terry moved as an amendment that a committee of five be appointed to investigate the claims of the delegates from Plaquemines.

It was moved to lay the amendment on the table, which was carried on a division of the House by a vote of 49 in the affirmative and 16 in the negative.

Mr. Cazabat moved to adjourn until Monday next at 12 o'clock.

The yeas and nays were called for, when 7 voted for the motion and 76 against it, whereupon it was declared to be lost.

The question recurring on motion to adopt the report, Mr. Terry offered the following amendment :

Resolved, That the report of Committee on Credentials be adopted, with exception of that portion which refers to the disputed seats, be laid on the table, and the House proceed to business.

On motion of Mr. Stocker the amendment was laid on the table.

The report of the committee was then adopted.

Mr. Bell moved to proceed to a permanent organization of the Convention.

Mr. Thomas moved as a substitute that a committee of five be appointed to report what officers are necessary to transact the business of the Convention. Lost.

Mr. Montamat offered as a substitute a resolution that the Convention proceed to a permanent organization as to president, secretary, sergeant-at-arms, door-keeper and messenger.

Mr. Montamat's substitute was adopted.

Mr. Henderson moved to vote for president by ballot.

Mr. Montamat moved to lay the motion on the table. Carried by 65 against 24.

Mr. Abell moved to admit Messrs. Balch and Dufresne as delegates from the parish of Iberville.

Mr. Wilson moved as an amendment that the matter be referred to the Committee on Credentials. Lost.

The motion to admit the gentlemen was then adopted, and Messrs. Balch and Dufresne were declared to be members of the Convention.

The Convention then proceeded to an election for president, when the following gentlemen were nominated : R. K. Howell, E. H. Durell, M. F. Bonzano, Christian Roselius, T. B. Thorpe, J. R. Terry and Alfred Shaw.

Messrs. Shaw and Terry declined to be candidates.

The Convention then proceeded to vote

by roll-call, when R. K. Howell received 25 votes, E. H. Durell 35 votes, M. F. Bonzano 15, Christian Roselius 7, and T. B. Thorpe 1.

There being no election, the names of Messrs. Bonzano, Roselius and Thorpe were withdrawn, when the Convention proceeded to a second vote, which resulted as follows:

For E. H. Durell 43, namely:

Messrs. Gorlinski, Bell, Brott, Stumpf, Murphy E., Cook, Murphy M. W., Stiner, O'Conner, Thorpe, Healy, Hire, Thomas, Fuller, Sullivan, Terry, Waters, Shaw, Bofill, Crozat, Bailey, Howell, Maas, Goldman, Hart, John Purcell, Staufer, Fish, Campbell, Barrett, Geier, Duane, Davies, Flagg, Seymour, Schnurr, Roselius, Payne, Knobloch, Gruneberg, Smith, Bennie, Gaidry—43.

For R. K. Howell 41, namely:

Messrs. Stocker, Schroeder, Wilson, Henderson, Fosdick, Austin, Foley, Harnan, Cutler, Durell, Gastinel, Wenok, Abell, Buckley, Maurer, Montamat, Mendiverri, Bonzano, Baum, Millspaugh, Kavanagh, Spellicy, Poynot, Cook, Flood, Dupaty, Ennis, Kugler, Heard, Morris, Samuel Purcell, Ong, Beauvais, Burke, Normand, Edwards, Cazabat, Newell, Balch, Dufresne, Hills—41.

Mr. Thorpe moved that the election of Mr. Durell be declared unanimous. Carried.

On motion, Messrs. Howell, Roselius and Bonzano were appointed a committee to escort Mr. Durell to the chair.

On taking his seat, the president addressed the Convention as follows:

Gentlemen of the Convention—I thank you heartily for the honor you have conferred upon me in making me your president; and I thank you still more heartily for this proof of your confidence in my abilities and my patriotism. When, in presiding over your deliberations, I may show weakness, I know that you will give me of your strength; and that I shall not be disappointed in my expectation of finding with you that courtesy which is the best aid to an efficient business in every legislative body.

Gentlemen—In this time of great trouble, in this supreme hour of our country's battle for its life, you have been entrusted by your fellow-citizens with duties commensurate with those of the soldier in the field; you have been called upon to finish the labor which he, necessarily, leaves incomplete.

Gentlemen—On the 26th day of January, 1861, a few ambitious and bad men assembled in Convention, and, representing a minority of the people of the State, declared "the connection between the State of Louis-

iana and the Federal Union dissolved;" you, gentlemen, have been chosen, the elect of the loyal people of Louisiana, to undo that work of folly and of crime; to restore the State to its former legitimate position in the Union; to replace it under the protecting folds of that flag which, everywhere, upon the land and upon the seas, has been ever hailed as the symbol of liberty and equal rights.

Gentlemen—You are all familiar with the rise and progress of the grand drama which is being enacted in these days upon this continent, and of which we also are a part. With this knowledge, you will accept the progress of ideas; you will accept the changes which great convulsions in the opinions and in the societies of men make a necessity; you will willingly exchange a dead past for a living future.

Gentlemen—The first, chief cause of the present rebellion is patent to you all; you have been called together, invested with the plenary powers which, under our institutions, belong to an organic political body, not only for the purpose of restoring the State to the Union, but also for the equal purpose of removing that fatal cause of strife and rebellion from Louisiana forever. You will, I know, perform those and the many other duties confided to your charge boldly, with decision; looking only to the prosperity and happiness of your State, and of our common country.

Mr. Bell moved to elect a secretary by ballot.

Mr. Montamat moved to lay the motion on the table. Carried.

The Convention then proceeded to the election of a secretary, when the following gentlemen were nominated: Messrs. Neelis, McClellan, Girard, White, Reynolds, Holland, Derickson and Murphy. The vote being taken by roll-call, Neelis received 44, Derickson 10, McClellan 8, Holland 6, White 6, Girard 4, Murphy 2. Mr. Neelis having a majority of the votes was declared to be duly elected.

Messrs. Henderson, Thorpe and Campbell were appointed a committee to escort Mr. Neelis to his seat.

A motion was made to ballot for sergeant-at-arms. This was laid on the table, and the following gentlemen were nominated: T. F. McGuire, C. Baumbach, Thos. K. Flanigan, M. DeCoursey. The roll was called, but there was no choice. Mr. Flanigan then withdrew, and the roll was again called, but with the same result. The secretary

read the names again, and the following vote was cast: DeCoursey 41; Baumbach 36; McGuire 1. Mr. DeCoursey was accordingly declared elected sergeant-at-arms.

It was moved by Mr. Brott that the committee appointed to wait on the secretary, also wait upon the sergeant-at-arms, and inform him of his election. The motion was carried unanimously.

On motion, the Convention adjourned until Friday at 12 o'clock M.

ALFRED C. HILLS,
Secretary pro tem.

FRIDAY, April 8th, 1864.

At a quarter past 12 o'clock, the president called the Convention to order, and stated that the proceedings would be opened with prayer by the Rev. Mr. Bass.

After the prayer by the Rev. Mr. Bass, the secretary proceeded to call the roll, and it appeared that 78 members were present. The chair announced a quorum present, and that the Convention was ready to proceed to business.

Mr. Hills, the former secretary *pro tem.*, stated that he had been requested to read the minutes of yesterday's proceedings; which were accordingly read and adopted.

Mr. Harnan offered the following preamble and resolution:

Whereas, We are informed, upon what appears to be good authority, that already two members of this Convention have been assaulted, one for performing his duties as a member of this Convention; therefore

Resolved, That said persons be reported to the proper authorities for proper punishment.

In offering the resolution, Mr. Harnan stated that himself and one other member of the Convention had been violently assaulted on account of their official action in the Convention, and he thought the matter should be taken up by the Convention.

A motion was made to lay the resolution on the table, and lost.

Mr. Bell moved that a committee of three be appointed by the chair to investigate the matter complained of. Upon putting the question to a vote the president declared the motion carried.

A division was called for, and the decision of the chair sustained—48 yeas, 30 nays.

The chair appointed Messrs. Wilson, Morris and Roselius. A motion was made to add the name of Col. T. B. Thorpe. Col. Thorpe begged to be excused, and the committee stood as first appointed.

Mr. J. W. Thomas moved that the Convention proceed to take up the unfinished business of the previous day, and to complete its organization by the election of a door-keeper and messenger.

Mr. Cazabat moved as an amendment that the officers not already elected be appointed by the chair.

Mr. Wilson offered a substitute, authorizing the sergeant-at-arms to appoint his assistants, including a door-keeper and messenger.

Mr. Montamat obtained the floor, and stated that he thought all these motions out of order, and moved that the Convention proceed to elect a door-keeper.

Another motion was made that the president appoint a door-keeper.

Nominations for door-keeper were declared in order, and the following nominations were made: Mr. Crozat nominated Mr. A. Martin, Mr. Harnan nominated Mr. Mallory, Mr. Duane nominated Mr. McCarty, Mr. Healy nominated Mr. Coyle, Mr. Purcell nominated Mr. Baumbach, Mr. Stauffer nominated Mr. Piersell, Mr. Shaw nominated Mr. Frieny, Dr. Gruneberg nominated F. X. Martin, Mr. Terry nominated Mr. Sullivan, Mr. Cook nominated Mr. Miller, Mr. Maurer nominated Mr. Ernst.

Upon calling the roll it appeared that Mr. Mallory received 3 votes, Mr. Piersell received 4 votes, Mr. McCarty 4 votes, Mr. Coyle 15, Mr. Baumbach 29, Mr. Frieny 3, Mr. Sullivan 6, Mr. Miller 1, Mr. Ernst 1.

No candidate having received a majority of all the votes cast, there was no election.

Mr. Baum moved that all except the three highest candidates on the list be withdrawn.

The motion was carried. Upon the second vote Mr. Baumbach received 45 votes, Mr. A. Martin 14, and Mr. Coyle 22. Mr. Baumbach was elected.

Mr. Montamat moved that the election of Mr. Baumbach be declared unanimous. The motion was carried.

Nominations for messenger being next in

order, Mr. Maurer nominated Mr. Leclerc, Mr. Terry nominated Mr. E. G. Maguire, Mr. Duane nominated E. Murphy, jr., Mr. Gorlinski nominated Piotrowski, Mr. Thomas nominated Mr. Clark, Mr. Healy nominated Mr. Coyle.

Upon the first vote, 9 votes were cast for Mr. Leclerc, 17 for Mr. McDonald, 2 for Maguire, 3 for Murphy, none for Piotrowski, 21 for Clark, 25 for Coyle. There being no election, Mr. Stauffer moved to proceed to a second vote, and that the vote be restricted to the two candidates highest in the list in the previous vote.

The motion was carried, and on the second vote Mr. Clark received 44 votes and Mr. Coyle 36.

Mr. Clark was elected.

Mr. Wilson moved that the election of Mr. Clark be declared unanimous. Carried.

Mr. Heard moved the election of an assistant secretary. The motion was tabled.

Mr. Stauffer offered the following resolution:

Resolved, That a committee of five be appointed by the president to report rules for the government of this Convention, and the additional number and character of the officers and employes required for the transaction of business.

Mr. Heard offered the following as a substitute:

Resolved, That a committee of seven be appointed by the president to prepare rules and orders for the government of this Convention, and that until said committee reports, the proceedings be governed by Jefferson's Manual and the rules and orders of the Senate and House of Representatives of the State of Louisiana as adopted in 1856.

A motion was made, and carried, to lay the substitute on the table.

Mr. Stauffer withdrew his resolution, to permit Mr. Montamat to offer the following:

Resolved, That the governor be requested to issue his proclamation, ordering an election, as early as possible, for one delegate from the parish of Plaquemines and one from the parish of Ascension, to represent the above named parishes in this Convention.

The resolution was adopted.

Mr. Terry offered the following resolution:

Resolved, That the status of every mem-

ber of this Convention be—viz: That he be a legally qualified voter of the State, who has subscribed to the oath of the president's proclamation of the 8th of December, 1863; that each and every member produce the same to the secretary by 12 m., on the 9th day of April, 1864, or be required to take the same before the president of this Convention.

A motion was made to lay the resolution on the table.

The ayes and nays were called and the motion was lost:

AYES—Messrs. Gorlinski, Brott, Stocker, Stumpf, Thomas, Fuller, Sullivan, Austin, Waters, Cutler, Abell, Bailey, Howell, Kavanagh, Spellacy, Poyhot, Hart, Flagg, Seymour, Mann, Heard, Roselius, Gaidry, Balch, Dufresne, Bonzano—26.

NAYS—Messrs. Bell, Schroeder, Murphy E., Cook T., Henderson, Wilson, Stiner, Murphy, O'Conner, Hills, Thorpe, Healy, Fosdick, Hire, Terry, Foley, Harnan, Shaw, Buckley, Maurer, Montamat, Mendiverri, Bofill, Crozat, Baum, Millsbaugh, Cook J. K., Maas, Goldman, Stauffer, Fish, Campbell, Barrett, Geier, Duane, Flood, Davies, Dupaty, Ennis, Normand, Edwards, Kugler, Schnurr, Morris, Purcell, Cazabat, Payne, Bromley, Knobloch, Newell, Ong, Smith, Bennie—53.

Mr. Thomas moved, as an amendment, that the president of the Convention administer the "iron-clad" oath to each and all the members of this Convention.

A motion to lay this amendment on the table was lost.

Mr. Cazabat offered as a substitute, that each and every member of the Convention do now rise in his seat, raise his right hand, and in the presence of Almighty God and this Convention, while the president administers to them the oath prescribed by the president's proclamation of December 8th, 1863.

Mr. Cazabat's motion was lost.

A motion to lay Mr. Thomas's amendment on the table, was then made and carried.

A motion was again made to lay the original motion of Mr. Terry on the table, and lost.

Another motion to adjourn was lost.

A motion was made that the secretary take down the dates of the "iron-clad" of each member and read them to the Convention. Lost.

A motion to adjourn was lost.

The question then recurring upon the original resolution, the ayes and nays were called for, and the following vote was the result:

AYES—Messrs. Gorlinski, Bell, Stocker, Buckley, Stumpf, Schroeder, Gastinel, Murphy, Cook, Wilson, Stiner, Murphy, Abell, O'Conner, Hills, Thorpe, Healy, Fosdick, Hire, Thomas, Austin, Foley, Harnan, Shaw, Cutler, Wenck, Maurer, Terry, Montamat, Mendiverri, Bofill, Crozat, Baum, Kavanagh, Millspaugh, Poynot, Spellicy, Cook, Goldman, Hart, Purcell, Stauffer, Fish, Campbell, Barrett, Geier, Duane, Flood, Davies, Dupaty, Ennis, Norman, Edwards, Mann, Kugler, Schnurr, Morris, Pursell, Paine, Bromley, Gruneberg, Cazabat, Newell, Ong, Beauvais, Burke, Gaidry, Smith, Bennie, Dufresne. Mr. Thomas begged to be excused from voting. The chair put the question to the Convention, and Mr. Thomas withdrew his request and voted aye—70.

NAYS—Messrs. Brott, Henderson, Fuller, Sullivan, Waters, Bonzano, Bailey, Howell, Maas, Flagg—10.

Mr. Austin offered the following resolution:

Resolved, That every member of this Convention of foreign birth be required to furnish evidence of his citizenship to the president on or before Saturday, the 9th inst., at 12 o'clock m.

Mr. Hills rose to a point of order. He thought that the substance of the resolution was embodied in the resolution of Mr. Terry, already adopted.

A motion to lay on the table was carried.

Mr. Harnan thought not.

Mr. Hire asserted that it was not.

On motion, the resolution was laid on the table.

Mr. Gorlinski offered the following resolution:

Resolved, That this Convention complete its organization by the election of the following named officers, viz: A vice-president, an assistant secretary, postmaster, printer and four reporters.

On motion, the resolution was laid on the table. Mr. R. B. Bell offered the following resolution:

Resolved, That the proceedings of this Convention be published each day in the True Delta, Era and Times newspapers of this city.

On motion, this resolution was tabled.

Mr. Samuel Pursell offered the following resolution:

Resolved, That the clergy of this city and environs be invited to meet together and furnish a list of those willing to act as chaplains to this Convention, one of them in rotation each day.

A motion was then made to adjourn until 12 o'clock to-morrow. Carried.

JOHN E. NEELIS,

Secretary.

SATURDAY, April 9th, 1864.

The Convention met pursuant to adjournment at 12 o'clock m., Hon. E. H. Durell presiding.

After prayer by the Rev. Mr. Strong, the roll was called, and the following members answered to their names, viz:

Abell, Austin, Bailey, Barrett, Baum, Bell, Bennie, Bofill, Bromley, Brott, Buckley, Burke, Balch, Campbell, Cook J. K., Crozat, Davies, Dufresne, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, Ong, Payne of Jefferson, Paine of Feliciano, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Sumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson, and Mr. President—75.

It appearing that there were but seventy-five members present, the chair directed the sergeant-at-arms to bring in a member to make a quorum.

Two members entering, the chair announced that a quorum was present.

The minutes of the previous day's proceedings were read and adopted, and the secretary proceeded to read several communications, one from the secretary of state, accompanying the returns of the election of the parish of Iberville, announcing the election of Messrs. Balch and Dufresne; one from R. S. Abbott, tendering his resignation as a member of the Convention; and one from Mr. Roselius, tendering his resignation as a member of the Convention.

Mr. Foley moved the acceptance of the resignations.

Mr. Hills moved, as an amendment, that the resignation of Mr. Abbott be accepted, and that Mr. Roselius be requested to assign reasons for his resignation.

The motion was carried on division, by ayes 44, nays 32.

Mr. Hills then moved to reconsider the motion.

Mr. Hills moved to lay the amendment on the table.

Upon putting the question to vote, the chair was unable to decide, and directed a division with the following result : ayes 44, nays 32. The amendment was tabled.

Mr. Balch called for the ayes and nays on the main resolution.

Mr. Hills moved to lay the resolution on the table. Lost.

The ayes and nays were then called on the resolution, with the following result : 47 ayes, 27 nays. The motion was adopted.

Mr. Sullivan offered the following resolution :

Resolved, That no person shall be eligible to any office or employment whatsoever in the gift of this Convention but duly qualified voters of this State and of the United States ; also that they shall exhibit to the president of the Convention that they have complied with the president's proclamation of the 8th of December, 1863.

A motion was made to lay the resolution on the table.

The ayes and nays were called, and the resolution was tabled by the following vote : yeas 66, nays 13.

Mr. Thomas moved to strike out that portion referring to messengers.

A motion was made to lay the resolution on the table.

The motion was carried on a division, by a vote of 66 yeas to 13 nays.

Mr. Thomas offered the following resolution :

Resolved, That this Convention proceed to elect an officer, who shall be styled the official printer of the Convention ; whose duty it shall be to print and publish the proceedings, to perform all other necessary printing for the Convention, and to be responsible for the punctual and satisfactory execution of the work.

A motion to lay on the table was lost.

The resolution was then put on its passage, and the result was as follows :

YEAS—Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Edwards, Fish, Flagg, Foley, Fosdick, Fuller, Geier, Murphy E., Murphy M. W., Newell, Normand, Payne Jno., Paine J. T., Purcell Jno., Bofill, Bon-

zano, Bromley, Brott, Buckley, Burke, Balch, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Duane, Dupaty, Dufresne, Goldman, Gruneberg, Gaidry, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maurer, Millsbaugh, Montague, Seymour, Shaw, Smith, Spellacy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wilson—65.

NAYS—Flood, Gastinel, Howell, Mann, Montamat, Morris, O'Conner, S. Pursell, Schroeder, Wenck—10.

The chair declared the resolution carried.

Mr. Gastinel appealed from the decision of the chair on the ground that there was not a quorum voting.

The question was put to the Convention, with the following result :

YEAS—Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Brott, Buckley, Burke, Balch, Campbell, Cazabat, Cook T., Cutler, Davies, Duane, Dufresne, Edwards, Fish, Flagg, Flood, Fuller, Geier, Gorlinski, Gruneberg, Gaidry, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Mann, Maurer, Millsbaugh, Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Paine J. T., Poynot, Purcell J. Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellacy, Stocker, Stumpf, Sullivan, Stiner, Stauffer, Terry, Thorpe, Thomas, Waters, Wilson—68.

NAYS—Cook J. K., Foley, Fosdick, Howell, Montague, Morris, Smith—7.

The chair announced that the decision was sustained ; that if there was a quorum present, members must be considered as voting blank.

Mr. Foley moved a call of the roll to ascertain whether a quorum was present.

The chair remarked that that was the proper way to decide the question.

The roll was called, and it was ascertained that there were 75 members present.

A motion was made to adjourn until Monday. Lost.

A motion to take a recess of fifteen minutes was voted down.

Mr. Thomas then moved to dispatch the sergeant-at-arms to bring in absent members.

After waiting a short time, the roll was again called, and 81 members being found present, the resolution was again put upon its passage and carried, two more members having entered during the calling of the yeas and nays. The vote was 83.

AYES—Abell, Austin, Bailey, Barett, Baum, Beauvais, Bennie, Bofill, Bonzano, Bromley, Brott, Buckley, Burke, Balch, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Davies, Duane, Dufresne, Edwards, Fish, Flagg, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne Jno., Paine J. T., Poynot, Purcell Jno., Pursell Sam'l, Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wilson—82.

NAYS—Flood—1.

The resolution was adopted.

Nominations having been declared in order :

Mr. Thomas nominated Mr. Fish.

Mr. Maun nominated Mr. Hills.

Mr. Brott nominated Mr. May.

Mr. Gorlinski nominated Fish and Hills.

The nominations were then closed.

Mr. Campbell moved to vote by ballot.

A motion to lay on the table was seconded and carried.

The roll was called with the following result :

FOR FISH, 65—Abbott, Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bonzano, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Davies, Duane, Edwards, Flagg, Foley, Waters, Fuller, Gastinel, Geier, Goldman, Gruneberg, Gaidry, Healy, Hart, Heard, Henderson, Hire, Howes, Kavanagh, Knobloch, Maas, Maurer, Mendiverri, Millspaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Seymour, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas.

FOR HILLS, 12—Dupaty, Dufresne, Flood, Fosdick, Harnan, Howell, Kugler, Mann, Montague, Paine J. T., Schnurr, Smith.

FOR MAY, 5—Bromley, Brott, Balch, Hills, Wilson.

FOR FISH AND HILLS, 2—Gorlinski, Wenck.

Blank 1.

Mr. Hills moved that Mr. Fish be unanimously declared printer.

The motion was carried.

Mr. Foley asked for information if the resolutions adopted yesterday, requiring members to show evidence of having taken

the oath prescribed by the president's proclamation of December 8th, 1863, had been complied with. After waiting to examine the oath, the list was read, and it was announced that all the members, except Messrs. Airial, Crozat, Ennis, Lobdell, Wenck, Wells and Pintado, had complied with the terms of the resolution.

These members were not present, several of them not having reported since the opening of the Convention.

Mr. Stauffer called up the following resolution, tabled on the 8th :

Resolved, That a committee of five be appointed to draft rules and regulations for the government of this Convention, and that they report on Monday next.

The resolution was adopted.

The chair appointed Messrs. Stauffer, Thomas, Shaw, Heard and Bennie.

Mr. Montamat offered the following resolution :

Resolved, That the governor and State officers elected on the 22d February last, and Capt. Stephen Hoyt, acting mayor of the city of New Orleans, be and are hereby invited to occupy a seat within the room, whenever the Convention may not be in secret session.

Upon putting the question to vote, the resolution was declared adopted.

Mr. Cazabat sent up a motion to reconsider the action of the Convention in regard to the resignation of Messrs. Roselius and Abbott.

The chair decided that members must offer resolutions from their seats.

Col. Thorpe moved a reconsideration of the action of the Convention in regard to the acceptance of the resignations of Messrs. Abbott and Roselius, on the ground that there was not a quorum present when the vote was taken.

Judge Howell offered the following resolutions, and moved that they be read by the secretary and made the order of the day for Monday :

Resolved, That a committee of—members be appointed by the president of this Convention, to whom shall be referred the subject of the immediate and permanent abolition of slavery in the State of Louisiana, with instructions to report, as early as practicable, an ordinance or provisions in relation thereto, to be incorporated into the constitution of this State.

2. That a committee of—members be appointed by the president, with instructions to recommend a preamble to the constitution of this State, and report as early as possible.

3. That a committee of—members be appointed by the president, to whom shall be referred the subject of the distribution of the powers of the government of the State of Louisiana, as set forth in the first title of the constitution of the State adopted in 1852, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

4. That a committee of—members be appointed by the president, to whom shall be referred the subject of the legislative department, as set forth in the second title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

5. That a committee of—members be appointed by the president, to whom shall be referred the subject of the executive department, as set forth in the third title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

6. That a committee of—members be appointed by the president, to whom shall be referred the subject of the judiciary department, as set forth in the fourth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

7. That a committee of—members be appointed by the president, to whom shall be referred the subject of impeachments, as set forth in the fifth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

8. That a committee of—members be appointed by the president, to whom shall be referred the subject of general provisions, as set forth in the sixth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

9. That a committee of—members be appointed by the president, to whom shall be referred the subject of internal improvements, as set forth in the seventh title of said constitution, with instructions to recommend changes, alterations and amendments if any they may deem proper and expedient, and report thereon as soon as possible.

10. That a committee of—members be appointed by the president, to whom shall

be referred the subject of public education, as set forth in the eighth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

11. That a committee of—members be appointed by the president, to whom shall be referred the subject of the mode of revising the constitution, as set forth in the ninth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

12. That a committee of—members be appointed by the president, to whom shall be referred the subject of the schedule, as set forth in the tenth title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

13. That a committee of—members be appointed by the president, to whom shall be referred the subject of the ordinance as set forth in the eleventh title of said constitution, with instructions to recommend changes, alterations and amendments, if any they may deem proper and expedient, and report thereon as soon as possible.

Mr. Montamat moved to have 300 copies printed for the use of the members. Carried.

A motion to lay the resolution on the table was lost.

A motion to adjourn till Monday at 12 o'clock was carried.

JOHN E. NEELIS,

Secretary.

MONDAY, April 11th, 1864.

At 12 o'clock the president called the Convention to order, and the proceedings were opened with prayer by the Rev. Mr. De Ossey, of the Christian Commission.

The secretary called the roll and the following gentlemen answered to their names, viz:

Messrs. Abell, Bailey, Barrett, Beauvais, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Balch, Burke, Campbell, Crozat, Davies, Dufresne, Edwards, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Heard, Henderson, Hills, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Millsbaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Schnurr, Seymour, Shaw, Smith, Spellacy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thomas,

Waters, Wenck, Wilson, and Mr. President—65.

No quorum being present, the chair directed the sergeant-at-arms to bring in absent members.

After a few minutes delay the roll was again called, and the following gentlemen answered to their names, viz :

Abell, Austin, Bailey, Barrett, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Burke, Balch, Campbell, Cazabat, Crozat, Davies, Duane, Dupaty, Dufresne, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiwerri, Millsbaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Poyntot, Purcell J., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellacy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson, and Mr. President—78.

Mr. Stauffer, chairman of the Committee on Rules and Regulations for the Government of the Convention, then submitted the following report :

The committee appointed to draft Rules of Order for this Convention, beg leave to submit the following as their report :

Rules and Regulations of the Convention of the People of Louisiana.

THE DUTIES AND RIGHTS OF THE PRESIDENT.

I. He shall take the chair every day at the hour to which the Convention shall have adjourned on the preceding day, and immediately call the members to order. If a quorum should be in attendance, he shall cause the journal of the preceding day to be read.

II. He shall preserve order and decorum ; may speak to points of order in preference to members, rising from his seat for that purpose ; he shall decide questions of order, subject to an appeal to the Convention made by any two members, on which appeal no member shall speak more than once, unless by leave of the Convention.

III. He shall rise to put a question, but may state it while sitting.

IV. Questions shall be distinctly put in this form, to-wit : "As many of you as are of opinion that (as the question may be) say aye," and, after the affirmative voice is expressed—"As many as are of contrary opinion say no." If the president doubt, or if a division be called for, the Convention shall divide ; those in the affirmative of

the question shall rise from their seats, and afterwards those in the negative. The president shall then rise and state the decision of the Convention.

V. The president shall have the right to examine and correct the journal before it is read. He shall have a general direction of the hall. He shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

VI. In all cases of election by the Convention the president shall vote ; in other cases he shall not vote, unless the Convention be equally divided, or unless his vote, if given to the minority, will make the division equal ; and in case of such equal division, the question shall be lost.

VII. All committees shall be appointed by the president, unless otherwise especially directed by the Convention, in which case they shall be elected by the Convention ; and, if upon such vote, the number required shall not be elected by a majority of the votes given, the Convention shall proceed to a second ballot, in which a plurality shall prevail ; and in case a greater number than are required to compose or complete a committee, shall have an equal number of votes, the Convention shall take another vote.

VIII. All acts, addresses, and joint resolutions shall be signed by the president ; and all writs, warrants and subpoenas, issued by order of the Convention, shall be under his hand, and attested by the secretary.

IX. In case of any disturbance or disorderly conduct in the gallery or lobby, the president (or chairman) shall have power to order the same to be cleared.

RULES OF DECORUM AND DEBATE.

X. When any member is about to speak in debate or deliver any matter to the Convention, he shall rise from his seat and respectfully address himself to "Mr. President."

XI. If any member, in speaking or otherwise, transgresses the rules of the Convention, the president shall, or any member may, call to order ; in which case the member so called to order shall immediately sit down, unless permitted to explain ; and the Convention shall, if appealed to, decide, on the case, but without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed ; if the decision be against him and the case require it, he shall be liable to the censure of the Convention.

XII. When two or more members happen to rise at once, the president shall name the one who is first to speak.

XIII. No member shall speak more than twice on the same question, nor more than

an hour on each occasion, without leave of the Convention, nor more than once until every member choosing to speak shall have spoken. But the mover of any proposition shall have the right to open and close the debate; and in case the proposition comes from any committee, then the member making the report from the committee shall have the right to open and close the debate in like manner.

XIV. While the president is putting any question, or addressing the House, no member shall walk out of, or across, the house; nor shall any one, in such case, when a member is speaking, entertain private discourse or cross the hall between him and the speaker.

XV. No member shall vote on any question in the result of which he has a separate and distinct interest, nor in any case when he was not within the bar of the Convention when the question was put. And when any member shall ask leave to vote, the president shall propound to him the question: *Were you within the bar when the question was put?* But when the yeas and nays are taken, and any member ask leave to vote, the president shall inquire of him whether he was within the bar *when his name was called?*

XVI. Upon a division and a count of the Convention upon any question, no member without the bar shall be counted.

XVII. Every member who shall be in the Convention when a question is put, shall give his vote, unless the Convention, for reasons assigned, shall excuse him. No member shall be allowed to make any explanation of a vote he is about to give, or asked to be excused from voting, after the secretary, under order of the Convention, shall have commenced calling the yeas and nays.

XVIII. When a motion is made and seconded, it shall be stated by the president; or, being in writing, it shall be handed to the chair, and read aloud by the secretary, before debated.

XIX. Every motion should be reduced to writing, if the president or any member desire it.

XX. No person, except the commanding general of the department, the governor of any State, the heads of departments of this State, the mayor of the city, and such other persons as the Convention may see proper, shall be admitted within the bar of the Convention.

XXI. After a motion is stated by the president, or read by the secretary, it shall be deemed to be in possession of the Convention, but may be withdrawn by the mover with the consent of the member who may have seconded the proposition.

XXII. When a question is under debate,

no motion shall be received but to adjourn; 2d, to lie on the table; 3d, for the previous question; 4th, to postpone to a certain day; 5th, to commit; 6th, to amend; or 7th, to postpone indefinitely—which several motions shall have precedence in the order in which they are arranged, and no motion to postpone to a day certain, to commit, or to postpone indefinitely being decided, shall be again allowed on the same day and at the same stage of the motion or proposition. A motion to strike out the enacting words of a motion shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

XXIII. The previous question shall be put in this form: "Shall the main question now be put?" It shall only be admitted when seconded by a majority of the members present, and, when carried, its effects shall be to put an end to all debate, and to bring the Convention to a direct vote—1st, upon the pending amendment, and so on, back to the first amendment offered; 2d, upon amendments, reported upon a committee, if any; and 3d, upon the main question.

On a motion for the previous question, and prior to the seconding of the same, a call of the Convention shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question. On a motion for a previous question there shall be no debate.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. After a call for the previous question has been sustained by the Convention, the question shall be put and determined in order as above, without debate on either amendments or the main question.

XXIV. Any member may call for a division of a question, when the same will admit of it.

XXV. No new motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, or as a substitute for the motion or proposition under debate.

XXVI. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for a reconsideration thereof; provided it is made on the same day or the next sitting day, before the order of the day is taken up. And a motion for immediate reconsideration shall supercede a notice that a reconsideration will be moved.

XXVII. When the reading of a paper is called for, and the same is objected to by any member, the Convention shall deter-

mine whether said paper shall be read or not.

XXVIII. If a pending question be not disposed of, owing to an adjournment of the Convention, and be revived on the succeeding day, no member, who has spoken twice on the day preceding, shall be allowed to speak again without leave.

XXIX. When motions are made for the reference of a subject to a select standing committee, and a standing committee, the question for the reference to a standing committee shall be first put.

ORDER OF BUSINESS FOR THE DAY.

XXX. As soon as the journal is read and the names of the members called, the president shall ask if there are any petitions, memorials, or resolutions to be presented. The petitions, memorials and resolutions having been presented and disposed of, reports, first from standing and then from select committees, shall be called for; after which the president shall dispose of the messages, communications, resolutions and ordinances on his table, and then proceed to call the order of the day, which shall always be taken up at 12 o'clock m.

XXXI. The unfinished business in which the Convention was engaged at the time of the last adjournment shall have the preference in the orders of the day; and no motion, or any other business, shall have the preference in the orders of the day; and no motion, or any other business, shall be received without special leave of the Convention until the former is disposed of. The order of the day shall be as follows:

1. The unfinished business in which the Convention was engaged at its last adjournment.
2. Special orders of the day.
3. Ordinances and resolutions, in the order in which they have been presented to the Convention.

XXXII. Petitions, memorials and other papers, addressed to the Convention, shall be presented by the president or by a member in his place; a brief statement of the contents thereof shall be made verbally by the member introducing the same.

XXXIII. Any ten members, after organization of the Convention, are authorized to compel the attendance of absent members.

XXXIV. Upon calls for the Convention, and in taking the yeas and nays on any question, the names of the members shall be call alphabetically.

XXXV. All questions relating to the propriety of business shall be decided without debate.

XXXVI. A motion to adjourn, and a motion to fix the day to which the Convention shall adjourn, shall always be in order, except when the yeas and nays are being called; and when the question has just previously been put and negatived, these mo-

tions, and the motion to lie on the table, shall be decided without debate.

XXXVII. No member shall absent himself from the service of the Convention unless he have leave or be unable from sickness to attend.

XXXVIII. No committee shall have the right to appoint a clerk without the consent of the Convention being first obtained, except the Committee on Enrollment.

XXXIX. It shall be in order for the Committee on Enrollment to report at any time.

XL. All officers appointed or elected by the Convention shall hold them during the pleasure of the Convention only.

XLI. All ordinances before the Convention shall be taken up and acted upon in the order in which they are numbered, and it shall be the duty of the secretary to number every ordinance in its regular order upon its first reading.

XLII. No standing rule or order of the Convention shall be rescinded or changed without one day's notice being given of the motion thereof. Nor shall any rule be suspended, except by a vote of two-thirds of the members present. Nor shall the order of business, as established by the rules of the Convention, be postponed or changed, except by a vote of at least two-thirds of the members present.

XLIII. After a resolution shall have been adopted by the Convention it shall be engrossed in a fair hand, and after examination and report by the Committee on Enrollment, shall be signed by the president and secretary.

XLIV. The proceedings of the Convention shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of the proceedings.

XLV. Every vote of the Convention shall be entered on the journal with a concise statement of the question; and a brief statement of the contents of each petition, memorial or paper presented to the Convention, shall be also inserted on the journal.

XLVI. In case any secretary, sergeant-at-arms or doorkeeper of the Convention fail to perform his duty, the secretary shall make a report thereof to the Convention without delay.

XLVII. The secretary shall read the journal daily from the sheet on which the minutes are written; and after being so read and corrected, the said minutes shall be recorded in the journal, and copies, authenticated by the signature of the secretary, shall be prepared for delivery at his desk to the printer by 10 o'clock on the day following that on which it shall have been read.

XLVIII. The secretary shall be responsible to the Convention for the accuracy of the journals and for the fidelity and prompt

execution of all work ordered by the Convention; he shall keep the bill book in his own handwriting; he shall endorse all bills, joint resolutions, and all documents proper to be endorsed; he shall keep in his charge all bills and documents in the custody of the Convention, and keep them in proper order.

XLIX. The duties of the sergeant-at-arms shall be to attend the Convention during its sittings, to have the charge of the chamber of the Convention, and the committees rooms, and offices belonging thereto, to keep the same in order, and execute the commands of the Convention from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the president.

L. The secretary or assistant secretary shall rise and remain standing whilst reading any document to the Convention.

LI. The assistant secretary of the Convention shall, in the event of the absence, resignation or death of the secretary, take charge of and attend to all the duties of his office until his successor shall be elected. It shall also be his duty to write with his own hand the journal of the Convention, when not acting as secretary.

LII. The duties of the doorkeeper shall be to keep the door of the lobby, announce messages and perform such other duties as the president may require.

LIII. No less than one-fifth of the members present shall be entitled to call for the yeas and nays on any question.

LIV. A quorum shall consist of a majority of the members elected and admitted to this Convention.

LV. The officers of this Convention shall consist of a president, secretary, two assistant secretaries, and as many clerks as may be required, an official printer, four reporters, a doorkeeper, two messengers, a postmaster, and such other officers as the Convention may deem necessary from time to time.

LVI. On any question of order or parliamentary practice, when these rules are silent or inexplicit, Jefferson's Manual, or Cushing's work on Parliamentary Law, shall be considered as authority.

The following committees shall be appointed by the chair as standing committees of this Convention:

1. A Committee on Elections, to be composed of five members.
2. A Committee on Preambles and Distribution of Powers, to consist of five members.
3. A Committee on the Legislative Department, to consist of seven members.
4. A Committee on Executive Department, to consist of seven members.
5. A Committee on Judiciary Department, to consist of seven members.

6. A Committee on Impeachment, to consist of three members.

7. A Committee on General Provisions, to consist of seven members.

8. A Committee on Internal Improvements, to consist of five members.

9. A Committee on Public Education, to consist of five members.

10. A Committee on Mode of Revising the Constitution, to consist of five members.

11. A Committee on Schedule, to consist of three members.

12. A Committee on Ordinances, to consist of five members.

13. A Committee on Enrollment, to consist of five members.

14. A Committee on Printing, to consist of three members.

15. A Committee on Finance, to consist of three members.

C. W. STAUFFER,
Chairman.

Mr. Montamat moved to print 300 copies for the use of the Convention, and that the report be made the order of the day for the 12th inst., at 2 o'clock.

Mr. Stauffer moved to amend by striking out 300, and inserting 200.

The mover accepted the amendment, and the motion was put to vote and carried.

Mr. Wilson then moved that the chair appoint another member on the committee appointed to inquire into the circumstances of assaults on two members of the Convention, in accordance with a resolution offered by Mr. Harnan on the second day of the session, in place of Mr. Roselius, resigned.

The motion was carried, and the chair appointed Mr. Shaw.

The hour for taking up the resolutions of Mr. Howell, offered the previous day, having arrived, the chair announced that they would now be taken up.

Mr. Thomas stated that they were in substance embodied in the report of the Committee on Rules and Regulations, and he would therefore move to lay them on the table till the 12th inst.

Mr. Brott moved to amend by striking out "till the 12th inst." and inserting "subject to call."

The amendment was accepted by the mover.

The question was then put to vote. The chair was unable to decide the vote, and directed a division, upon which it appeared that the motion was lost—ayes 29, nays 47.

Mr. Mann moved the adoption of the resolution, but withdrew his motion to permit Judge Howell to present a motion to fill the blanks.

Mr. Abell offered a substitute, but was declared out of order.

Judge Howell's motion was then presented, to fill the blank in the first resolution with the number 5, in the second with 3, 3d with 3, 4th with 5, 5th with 7, 6th with 11, 7th with 5, 8th with 13, 9th with 3, 10th with 9, 11th with 5, 12th with 5, 13th with 5.

Mr. Abell stated that he had a substitute to offer for the entire resolutions of Mr. Howell.

The chair decided him out of order.

Mr. Harnan moved to amend the motion of Mr. Howell respecting the filling the blanks, by striking out the number 9, in regard to the 10th resolution, and inserting the words "one member from each Representative District in the Parish of Orleans, and one from each of the other parishes."

Mr. Shaw made a motion to take up the resolutions to fill the blanks one at a time in their order.

Mr. Harnan's motion was withdrawn, and Mr. Shaw's put to vote and carried.

Mr. Stauffer asked that the substitute of Mr. Abell be read to the Convention.

The chair decided that the substitute was not in order.

Mr. Abell attempted to offer his substitute, and the chair called him to order.

Mr. Stauffer appealed from the decision of the chair.

The chair stated that the motion before the Convention was to fill the blanks in the resolutions offered by Mr. Howell, and that until that motion was disposed of a substitute for the resolutions was foreign to the subject-matter of the motion before the Convention, and was therefore out of order. The question was upon sustaining the decision of the chair.

The yeas and nays were called, and the chair was sustained by the following vote :

YEAS—Messrs. Austin, Barrett, Bell, Buckley, Burke, Balch, Cazabat, Cook T., Crozat, Duane, Dupaty, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Mann, Mendiverri, Millsbaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne of Jeffersbn, Poynot, Purcell J., Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wenck, Wilson—58.

nagh, Knobloch, Kugler, Mann, Mendiverri, Millsbaugh, Montamat, Montague, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne of Jeffersbn, Poynot, Purcell J., Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wenck, Wilson—58.

NAYS—Messrs. Bailey, Baum, Beauvais, Bennie, Bonzano, Brott, Cook J. K., Davies, Dufresne, Goldman, Heard, Maas, Maurer, Morris, Ong, Pursell S., Stauffer, Thomas—18.

A motion was made to proceed to the election of an assistant secretary.

A member asked if a quorum was present.

The chair directed the secretary to call the roll, when the following members answered to their names, viz :

Messrs. Abell, Austin, Bailey, Barrett, Beauvais, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Burke, Campbell, Cazabat, Cook T., Crozat, Davies, Duane, Dupaty, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Millsbaugh, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson.

Mr. Thomas moved an adjournment until 2 o'clock to-morrow.

Upon putting the question to vote, the chair was unable to decide and directed a division, upon which it appeared that the question was carried—yeas 43, nays 32.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

TUESDAY, April 12th, 1864.

At 2 o'clock the Convention was called to order and the roll called, when the following gentlemen answered to their names, viz :

Messrs. Abell, Ariail, Austin, Barrett, Baum, Bell, Bofill, Bonzano, Brott, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Davies, Duane, Dufresne, Dupaty, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Heard, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Millsbaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., O'Conner, Ong,

Paine, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson, and Mr. President—75.

There being no quorum, the chair dispatched the sergeant-at-arms to bring in a member, which being done—

The minutes of the previous day's proceedings were read and adopted.

The chair then announced that the first business in order was the disposition of the report of the Committee on Rules and Regulations, and directed the secretary to read the report.

A motion was made that it be read by its title. Carried.

Mr. Hills moved to amend the title "Rules and Regulations of the Convention of the People of Louisiana" by striking out the words "of the People of," and substituting "for the Amendment and Revision of the Constitution of."

The amendment was carried, and the title, as amended, adopted.

A motion was then made to take up the report section by section. Carried.

Section I was taken up and adopted.

Section II was adopted.

Section III was adopted.

Section IV was adopted.

Section V was adopted.

Section VI was adopted.

Section VII was taken up.

Mr. Foley moved to strike out the word "*ballot*" in the fifth line, and substitute the word "vote." Carried, and the section as amended adopted.

Section VIII was taken up.

Mr. Hills moved to strike out the words "*joint resolutions*" in the first line. Carried, and the section as amended adopted.

Section IX was adopted.

Section X was taken up.

Mr. Bell moved to amend by adding the words "and members."

A motion was made and carried to lay the amendment on the table, and the section was adopted.

Section XI was taken up and adopted.

Section XII was taken up and adopted.

Section XIII was taken up.

Mr. Foley moved to amend by inserting the word "half" before the words "an

hour," in the 2d line. Carried, and the section as amended adopted.

Section XIV was adopted.

Section XV was adopted.

Section XVI was adopted.

Section XVII was adopted.

Section XVIII was adopted.

Section XIX was taken up.

Mr. Hills moved to strike out the word "should" and substitute "shall" in the first line.

An amendment to the amendment was moved to strike out also the word "motion" and substitute "resolution."

Mr. Hills accepted the amendment, and on putting the question it was carried.

Mr. Goldman moved to amend by adding the words, "and notice shall be given by the president when it is about to be offered."

A motion was made to lay this amendment on the table. Carried.

The section as amended was then adopted.

Section XX was adopted.

Section XXI was adopted.

Section XXII was taken up.

Mr. Thorpe moved to amend by striking out the words "*but to adjourn*" in the second line.

The amendment was tabled and the section adopted.

Section XXIII was adopted.

Section XXIV was adopted.

A motion was made to strike out the words "*when the same will admit of it.*"

A motion to lay the amendment on the table was made.

Upon putting the question to vote, the chair was unable to decide, and directed a division.

The amendment was tabled—ayes 44, nays 9.

Section XXV was taken up.

Mr. Cazabat moved to amend by inserting the word "resolution" after the word "motion," in the first line.

A motion to lay the amendment on the table was carried, and the section adopted.

Section XXVI was taken up.

Mr. Gorlinski moved to amend by striking out the words "same day," in the fourth line.

On motion, tabled.

Mr. Goldman moved to amend by strik-

ing out the words "provided it is made on the same day."

On motion, tabled.

The section was adopted.

Section XXVII was adopted.

Section XXVIII was adopted.

Section XXIX was taken up.

A motion was made to strike out the word "*standing*," the second word in the second line. Carried.

A motion was made to strike out the word "*and*" in the second line and substitute "*or*." Carried, and the section as amended was adopted.

Section XXX was taken up.

Mr. Cazabat moved to amend by striking out "12 o'clock *m.*" and insert "1 o'clock *p. m.*"

Mr. Goldman moved to lay the amendment on the table. Lost.

Mr. Hills moved to strike out "12 o'clock" and insert "blank o'clock." A motion to amend Mr. Hills's amendment by striking out "blank o'clock" and inserting "3 o'clock," was lost.

A motion to strike out the eighth line and the three last words of the seventh was carried, and the section as amended adopted.

Section XXXI was taken up.

A motion to amend, by striking out of the third and fourth lines the words "and no motion, or any other business, shall have the preference in the order of the day," was made.

A motion to table the amendment was lost.

The amendment was adopted, and the section as amended was adopted.

Section XXXII was adopted.

Section XXXIII was adopted.

Section XXXIV was adopted.

Section XXXV was adopted.

Section XXXVI was adopted.

Section XXXVII was adopted.

Section XXXVIII was taken up.

A motion was made to strike it out of the report. Carried.

Section XXXIX was adopted.

Section XL was taken up.

Mr. Goldman moved to amend, by striking out the word "*them*" in the first line and inserting "*their places*."

A motion was made to lay the amendment on the table. Carried.

Mr. Cazabat moved to amend by striking out the word "*them*" in the second line, and substituting "*their offices*."

The motion was carried, and the section, as amended, was adopted.

Section XLI was adopted.

Section XLII was adopted.

Section XLIII was adopted.

Section XLIV was adopted.

Section XLV was adopted.

Section XLVI was taken up.

Mr. Wilson moved to amend "*the secretary shall make a report thereof to*" and insert therefor "*the president shall notify*."

A motion to lay the amendment on the table was lost.

The amendment was adopted.

The section, as amended, was adopted.

Section XLVII was taken up.

A motion was made to amend by striking out the words "10 o'clock" in the fifth line.

A motion to lay the amendment on the table was carried, and the section was adopted.

Section XLVIII was taken up.

Mr. Cazabat moved to amend by striking out the word "*bills*" and the word "*joint*" in the fourth line.

The amendment was carried, and the section, as amended, adopted.

Mr. Wilson moved a reconsideration. Lost.

Section XLIX was adopted.

Section L was adopted.

Section LI was adopted.

Section LII was adopted.

Section LIII was taken up.

Mr. Montamat moved to amend by striking out the words "no less than one-fifth" in the first line, and inserting "any two."

A motion was made to lay the amendment on the table.

Upon taking the vote, the chair was unable to decide, and directed a division.

The motion to table was carried. Ayes 39, noes 33.

Mr. Montamat moved to amend by striking out the words "*no less than one-fifth*" and substitute "*any number*."

Mr. Shaw rose to a point of order.

The chair decided that the amendment was in order.

A motion was made to lay the amendment on the table. Carried.

The section was then put on its passage and adopted.

Section LIV was then taken up.

A motion was made to so amend that the section shall read: "A quorum shall consist of seventy-six members."

A motion was made to lay the amendment on the table.

The yeas and nays were called, when the following vote was read:

YEAS—Messrs. Beauvais, Bell, Brott, Burke, Cook J. K., Cook Terrance, Fish, Flagg, Fuller, Goldman, Gaidry, Heard, Henderson, Hire, Maas, Murphy M. W., O'Conner, Purcell John, Seymour, Smith, Stauffer, Terry, Wilson—23.

NAYS—Abell, Ariail, Austin, Bailey, Barrett, Baum, Bofill, Bonzano, Buckley, Campbell, Cazabat, Crozat, Davies, Duane, Dupaty, Dufresne, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Hills, Howell, Howes, Knobloch, Kugler, Mann, Maurer, Mendi-verri, Millspaugh, Montamat, Montague, Morris, Murphy E., Newell, Ong, Payne J., Poynot, Pursell Samuel, Schroeder, Schnurr, Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Thorpe, Thomas, Waters, Wenck—56.

Mr. Hills moved to amend the amendment by adding the words, "and when any member shall absent himself from the hall for three successive roll calls without presenting a reasonable excuse, his seat shall be declared vacant, and an election shall be ordered to fill the vacancy."

A motion to lay the amendment on the table was carried.

The first amendment was carried, and the section, as amended, adopted.

Section LV was taken up.

Mr. Montamat moved to strike out the words "four reporters" in the third line, and insert "one official reporter and three assistants."

Mr. Cazabat moved to amend by substituting "two" for "four," in the third line.

Mr. Shaw moved to lay the amendment on the table. Carried.

Mr. Howell moved to substitute the words "one reporter" for "four reporters." Carried, and the section, as amended adopted.

Section LVI was taken up.

Mr. Henderson moved to amend by striking out the words "or Cushing's work on Parliamentary Law" in the second and third lines, and all subsequent to the third line.

A motion to table the amendment was lost.

The amendment was adopted.

The section as amended was adopted.

A motion was made to reconsider section LI.

The motion was carried.

A motion to amend by inserting "sergeant-at-arms" in the second line was carried, and the section, as amended, adopted.

Mr. ——— moved to reconsider section XXI. Lost.

Mr. Wilson moved the adoption of the report as amended as a whole.

The motion was carried.

Mr. Shaw moved to take up the resolutions of Mr. Howell. Made the order of the day.

The chair announced that the resolutions, having been made the order of the day, would be taken up.

Mr. Cazabat moved a recess of five minutes.

Mr. Beauvais moved to adjourn till 4 o'clock P. M. to-morrow.

A motion to amend by striking out "4," and inserting "12 o'clock" was carried, and the Convention adjourned.

Minutes adopted.

JOHN E. NEELIS,

Secretary.

WEDNESDAY, April 13, 1864.

At twenty minutes past 12 o'clock, the chair called the Convention to order, and the proceedings were opened with prayer by the Rev. J. G. Bass.

The roll was called and the following members answered to their names, viz:

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bonzano, Brott, Buckley, Burke, Campbell, Cazabat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kugler, Maas, Mann, Mendi-verri, Montamat, Montague, Morris, Murphy E., Newell, Normand,

O'Conner, Ong, Payne, Pintado, Purcell, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wilson, and Mr. President—70.

The chair directed the sergeant-at-arms to bring in members.

After waiting some ten or fifteen minutes, Messrs. Murphy, Wenck, Millsbaugh, Knobloch, Kavanagh, Mendiverri and Gastinel having entered the hall, a quorum was found to be present.

The minutes of the previous day's proceedings were read and adopted.

The chair announced that the first business in order was receiving of petitions.

No petition being presented, resolutions being next in order.

J. Randall Terry offered the following resolutions, viz :

Whereas, At a convention of delegates assembled in this hall on the 26th day of January, 1861, and purporting to represent the people of this State, it was ordained and declared in the words following—that is to say :

“An Ordinance to dissolve the union between the State of Louisiana and other States, united with her under the compact entitled ‘The Constitution of the United States of America.’

“*We the people of the State of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance passed by us in Convention on the 22d day of November, in the year 1811, whereby the constitution of the United States of America and the amendments of the said constitution were adopted ; and all laws and ordinances by which the State of Louisiana became a member of the Federal Union, be and the same are hereby repealed and abrogated ; and that the Union now subsisting between Louisiana and other States, under the name of ‘The United States of America,’ is hereby dissolved.*

“*We do further declare and ordain, That the State of Louisiana hereby resumes all rights and powers heretofore delegated to the government of the United States of America ; that her citizens are absolved from all allegiance to said government ; and that she is in full possession and exercise of all those rights of sovereignty which appertain to a free and independent State.*

“*We do further declare and ordain, That all rights acquired and vested under the constitution of the United States, or any act of Congress, or treaty, or under any law of this State, and not incompatible with this ordinance, shall remain in force, and have*

the same effect as if this ordinance had not been passed.”

Now we, the people of the State of Louisiana, loyal to the constitution of the government of the United States, do hereby announce, declare and ordain, that the said pretended ordinance of secession, so passed by disloyal traitors, without the authority of the people and in violation of the Federal constitution, together with all other ordinances, acts and proceedings of said secessionists in said Convention, and of the pretended State government instituted under the said ordinance of secession, are *utterly null and void*.

Resolved, That, representing the people of the State of Louisiana, this Convention hereby declares its adherence and the adherence of the people of the State of Louisiana to the constitution of the United States, and that we will by all our efforts sustain and uphold the government of the United States in its efforts to suppress the present unjust and most wicked rebellion.

Mr. Henderson moved to lay the resolution on the table. Carried. Ayes 42, nays 21.

Mr. Montamat offered the following resolution, viz :

Resolved, That the members of this Convention shall severally receive from the public treasury a compensation for their services, which shall be *eight* dollars per day, during their attendance on, going to and returning from the sessions of this Convention.

Be it further resolved, That a committee of *five* be appointed by the chair for the purpose of fixing the compensation of the several officers and employes of this Convention, and what appropriation is necessary to defray the expenses, and to report as early as possible.

Mr. Harnan moved to amend by striking out the words fixing the compensation at eight dollars a day, and making it read “members shall serve gratuitously.”

A motion was made and carried to lay the amendment on the table.

Mr. Cazabat moved to lay the original motion on the table.

The motion was lost.

Mr. Montamat moved the adoption of the resolution.

The yeas and nays were called and the result was as follows :

YEAS—Messrs. Abell, Austin, Baum, Beauvais, Bell, Buckley, Burke, Cook J. K., Crozat, Duane, Flagg, Foley, Gastinel, Geier, Gruneberg, Gaidry, Healy, Hender-

son, Howes, Kavanagh, Knobloch, Mendi-verri, Montamat, Murphy M. W., Normand, O'Conner, Pintado, Poynot, Purcell John, Pursell Samuel, Schroeder, Seymour, Smith, Spellicy, Stocker, Stiner, Sullivan, Terry—39.

NAYS—Messrs. Ariail, Barrett, Bonzano, Brott, Campbell, Cazabat, Cook T., Cutler, Dupaty, Ennis, Fosdick, Goldman, Gorkinski, Harnan, Hart, Heard, Fish, Flood, Hills, Hire, Howell, Kugler, Maas, Mann, Millspaugh, Montague, Morris, Murphy E., Newell, Ong, Payne John, Paine J. T., Schnurr, Shaw, Stumpf, Stauffer, Thorpe, Thomas, Waters, Wilson—39.

There being a tie vote, the chair gave the casting vote in the negative, and the resolution was lost.

Mr. Montamat offered the following resolution:

Resolved, That the constitution which shall be framed by this Convention shall have no effect until the same shall have been ratified by the vote of the majority of the qualified voters of Louisiana at the ballot-box, at the various election precincts of the State, under the regulations and laws in regard to the election of State officers. Those voting for the constitution shall endorse on their ticket "Ratification," and those voting against it "No Ratification." The governor shall publish a proclamation duly notifying the people of this State of the holding of said election, and ordering the sheriffs of the several parishes of this State to cause an election to be held under the existing laws. Said election to take place twenty days after the adjournment of the Convention.

On motion of Mr. Wilson the resolution was laid on the table.

Mr. Pursell, of Jefferson, offered the following resolution:

Resolved, That the clergy of this city and environs be and are hereby invited to meet together and furnish a list to the secretary of those willing to act as chaplains to this Convention—one of the number, in rotation, each day.

The resolution was tabled.

Mr. Abell offered the following preamble and resolutions:

Whereas, General Order No. 38, dated Headquarters Department of the Gulf, New Orleans, March 22, 1864, the United States, through their proper officer, Major General Banks, has assumed to levy and collect taxes of the people of this State without their consent, and appropriate the same for domestic purposes, as will appear by the following educational order, officially set

forth in the words and figures following, to-wit:

EDUCATION OF FREEDMEN.

HEADQUARTERS DEPARTMENT OF THE GULF, }
New Orleans, March 22, 1864. }

General Orders No. 38.

In pursuance of the provisions of General Orders No. 23, current series, for the rudimentary instruction of the freedmen of this department, placing within their reach the elements of knowledge which give intelligence and greater value to labor, and reducing the provisions necessary therefor to an economical and efficient school system;

It is ordered that a Board of Education, consisting of three persons, be hereby constituted, with the following duties and powers:

1st. To establish one or more Common Schools in each and every school district that has been or may be defined by the parish provost marshals under orders of the provost marshal general.

2d. To acquire by purchase, or otherwise, tracts of land, which shall be judged by the Board necessary and suitable for school sites, in plantation districts, to be not less than one-half acre in extent; to hold the same in trust to themselves until such schools shall have been established, when they shall transfer all the right and title thereto that may have vested in them to the superintendent of public institutions, or other competent State authority:

3d. To erect upon said plots of land such school-houses as they may judge necessary and proportioned to the wants of the population of the district, where there are no buildings available and proper for school purposes. And in this, as in all other duties, they shall exercise the strictest economy.

4th. To select and employ proper teachers for said schools, as far as practicable, from the loyal inhabitants of Louisiana, with power to require their attendance for the purpose of instruction in their duties, one week at least at a Normal School, to be conducted by the Board.

5th. To furnish and provide the necessary books, stationery and apparatus for the use of such schools, and in addition thereto to purchase and furnish an outfit of a well-selected library, &c., for each freed person in the several school districts who is above the age of attending school duty, at a cost to each, including a case to contain the same, not exceeding two and a half dollars, which sum shall be included in the general tax hereinafter provided, but shall be deducted from the laborer's wages by his employer, when such books are furnished.

6th. To regulate the course of study, discipline and hours of instruction for children on week days, and adults on Sundays; to

require such conformity to their regulations and such returns and reports from their teachers as they may deem necessary to secure uniformity, thoroughness and efficiency in said schools.

7th. To have generally the same authority and perform the same duties that assessors, supervisors and trustees have in the Northern States, in the matter of establishing and conducting Common Schools.

And for the full accomplishment of these purposes and the performance of the duties enjoined upon them, the Board shall have full power and authority to assess, and levy a School Tax upon real and personal property, including crops of plantations, in each and every before mentioned School District. The said taxes so levied shall be sufficient in amount to defray the cost and expense of establishing, furnishing and conducting for the period of one year the school or schools so established in each and every of the said districts; and said taxes shall be collected from the person or persons in the occupation of the property assessed.

8th. The taxes so assessed and levied in and for each district shall be collected and paid over to the Board by the parish provost marshal, within thirty days after the tax list and schedule shall have been placed in his hands; and he shall forthwith report to the Board whether there are in the districts of this parish any buildings available and suitable for school-houses, and shall at all times, when required, assist by his authority the Board in carrying out the spirit of this order. The taxes, when collected, shall be forthwith deposited in the First National Bank of New Orleans, subject only to the order of the whole Board, which shall make a monthly exhibit of accounts and report of their doings to the commanding general.

9th. In the performance of all their duties the Board shall co-operate, as far as practicable, with the superintendent of Public Education, recently elected.

10th. The current school year shall be estimated from February 1st, 1864, to February 1st, 1865.

11th. The following officers and citizens are appointed upon this Board, and will be obeyed and respected accordingly:

Colonel H. N. Frisbie, Twenty-second Infantry, Corps d'Afrique.

Lieutenant E. M. Wheelock, Fourth Infantry, Corps d'Afrique.

Isaac G. Hubbs, New Orleans.

By command of Major General Banks:

RICHARD B. IRWIN.

Whereas, Taxes imposed without the consent of the people are unconstitutional and injurious to their rights and liberties; be it

Resolved, 1st—That the rights asserted in the order aforesaid are unconstitutional and in derogation of the sovereignty, honor and dignity of the State and the dearest rights of the people.

2d—That any legislation, or attempt to legislate or any amendment or attempt to amend the constitution of Louisiana, will be a virtual admission of the right claimed and an abandonment of the just rights of the people of Louisiana.

3d—That this Convention ought to adjourn until all the powers belonging to the people, supposed to be abridged by said order, be restored to them by their representatives.

4th—*Be it further resolved*, That the Convention do adjourn until —, 1864, in order to correspond with General Banks and the authorities of the general government of the United States, before taking any further action, to ascertain the wish and purposes of the general government in the premises; and

Be it further resolved, That the foregoing resolutions are not intended to impair or controvert in any manner the right of the general government to require the State of Louisiana to contribute by taxes or otherwise her just proportion of the expenses of the war.

Mr. Brott moved to lay the resolution on the table.

The ayes and nays were called:

YEAS—Messrs. Ariall, Austin, Bailey, Barrett, Beauvais, Bell, Bonzano, Brott, Burke, Cazabat, Cook J. K., Cook Terrance, Crozat, Cutler, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gaidry, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Mann, Maurer, Mendiverri, Millspaugh, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne John, Paine J. T., Poynot, Purcell John, Pursell Sam., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson—72.

NAYS—Messrs. Abell, Baum, Buckley, Campbell, Goldman, Gruneberg, Maas, Montamat, Pintado—9.

The resolution was tabled.

The hour for taking up the special order of the day, Mr. Howell's resolutions, having arrived, they were taken up.

Mr. Hills moved that they be taken up *seriatim*.

The motion was carried.

Section I was read.

Mr. Abell offered the following as a substitute:

Whereas, Slavery having existed in this country by custom from its earliest settlement by sanction of the constitution and laws of the United States, and of the constitution and laws of this State; and

Whereas, The owners of slaves have acquired property therein by virtue of said custom, constitution and laws, and under the protection and guarantee thereof; and

Whereas, All that is good and truly great in individuals or States must have its foundation in good faith and justice; be it, therefore

Resolved, That no proposition for the "abolition of slavery" be entertained by this Convention until ways and means are first provided for a full, fair and equitable compensation to all lawful owners, either by the future labor of the slave, or out of the treasury of this State, or of the United States, and for the removal of all emancipated slaves from the State.

A motion was made to lay the substitute on the table.

The motion was carried.

Mr. Cazabat moved to amend the resolution by inserting the word "*unconditional*" after the word "*immediate*," in the second line.

A motion was made and carried to lay the amendment on the table.

A motion was made to lay the original resolution on the table.

The motion was lost.

Mr. Cutler moved to fill the blank with the number "5." Carried.

The resolution was then put on its passage and adopted.

A motion to reconsider was made and carried.

A motion to strike out "5" and insert "11." Carried.

The question on the adoption of the resolution was then put, and the resolution as amended was adopted.

Section II was taken up.

A motion was made and carried to fill the blank with the number "7," and the resolution was adopted.

Section III was taken up.

A motion to fill the blank with the number "7" was made and carried, and the resolution was adopted.

Section IV was taken up.

Mr. Baum moved to fill the blank with the number "13."

A motion was made to fill the blank with the number "5."

A motion to lay the last motion on the table was made and lost.

A motion was then made to adopt the resolution with the blank filled with the number "5."

The motion was lost.

Mr. Purcell moved to fill the blank with the number "9."

The motion was carried, and the resolution, with the blank thus filled, was adopted.

Section V was taken up.

Mr. Abell moved to fill the blank with the number "7."

The motion was carried, and the resolution adopted.

Section VI was taken up.

A motion was made to fill the blank with the number "7."

A motion to lay on the table was lost.

The motion to fill with the number "7" was carried.

The resolution was adopted.

Section VII was taken up.

Mr. Hills moved to fill the blank with the number "5."

Mr. Baum moved to fill the blank with the number "9."

Mr. Goldman moved to lay the last motion on the table.

The motion was carried.

The motion of Mr. Hills to fill the blank with "five" was carried and the resolution was adopted.

Section VIII was taken up.

A motion to fill the blank with the number "11" was carried, and the resolution was adopted.

Section IX was taken up.

A motion to fill the blank with the number "5" was carried and the resolution was adopted.

Section X was taken up.

A motion to fill the blank with the number "7" was carried and the resolution was adopted.

Section XI was taken up.

A motion to fill the blank with "5" was carried and the resolution adopted.

Section XII was taken up.

A motion to fill the blank with the number "7" was carried and the resolution was adopted.

Section XIII was taken up.

A motion to fill the blank with the number "5" was carried and the resolution was adopted.

Mr. Montamat offered the following, and moved that it be added to the resolutions of Mr. Howell, as section XIV, viz:

That the following standing committees be

appointed by the chair, to wit: One on enrollment, to consist of five members; one on finances, to consist of five members; one on contingent expenses, to consist of five members, and one on printing, to consist of three members.

The motion was carried.

Mr. Montamat moved the adoption of the resolutions as a whole.

The motion was carried and the resolutions adopted as a whole.

Mr. Howell moved a reconsideration.

A motion was made and carried to lay the motion for reconsideration on the table.

Mr. Gorlinski offered the following resolution, viz:

Resolved, That all applause in this hall, pending discussion, is out of order, and shall be disallowed.

A motion was made to lay the resolution on the table.

The motion was lost.

The question upon the adoption of the resolution was put, and the resolution was lost.

Mr. Sullivan offered the following resolution:

Whereas, It is currently reported that many members of this Convention are not citizens of the United States, but owe allegiance to foreign powers; and

Whereas, It becomes the duty of this Convention to have its members placed above suspicion; be it therefore

Resolved, That the members of this Convention of foreign birth be required to exhibit to the president of this Convention evidence of their naturalization, on or before Thursday next, the 14th instant, at 12 o'clock m.

Mr. Hire moved to lay the resolution on the table.

The motion to lay on table was lost.

A motion was made to adopt.

The yeas and nays were called, with the following result:

YEAS—Messrs. Ariail, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Brott, Buckley, Balch, Campbell, Cook J. K., Cook T., Cutler, Duane, Dufresne, Edwards, Flagg, Flood, Foley, Gastinel, Gorlinski, Gaidry, Healy, Harnan, Hart, Heard, Hills, Howes, Kavanagh, Knobloch, Mann, Maurer, Montamat, Montague, Murphy M. W., Normand, Newell, O'Conner, Ong, Payne J., Panie J. T., Pintado, Pursell S., Seymour, Smith, Spellicy, Sullivan, Terry, Thomas, Waters—51.

NAYS—Messrs. Bailey, Bonzano, Burke, Crozat, Dupaty, Ennis, Fish, Fosdick, Geier, Goldman, Gruneberg, Henderson, Hire, Howell, Kugler, Maas, Millsbaugh, Murphy E., Purcell J., Schroeder, Shaw, Stocker, Stiner, Staufer, Shaw, Thorpe, Wenck, Wilson—27.

The resolution was adopted.

A motion to adjourn was lost.

Mr. Bell offered the following:

Resolved, That we proceed to elect two assistant secretaries, one postmaster, one reporter, and one messenger.

The resolution was adopted.

Nominations for assistant secretary being

in order, the names of Messrs. Murphy, Hamilton, Gannon, Winfree and Parkhurst were put in nomination.

Upon the first vote, no candidate having received a majority of all the votes, there was no election.

Upon the second vote Mr. Murphy received a majority of all the votes cast, and was declared elected.

Messrs. Hamilton, Winfree, Gordon and Kruse were put in nomination for second assistant secretary.

Upon the first vote neither candidate received a majority of all the votes cast, and there was no election.

On the second vote no candidate received a majority of all the votes cast, and there was no election.

On the third vote Mr. S. J. Hamilton received a majority of all the votes cast, and was declared elected.

Mr. Henderson moved that the assistant secretaries be declared unanimously elected. The motion was carried.

Mr. Brott offered the following resolution:

Resolved, That Adjutant Gen. L. Thomas, U. S. A., be and he is hereby invited to a seat within the bar of the House.

The names of Messrs. A. P. Bennett and H. A. Gallup were put in nomination for reporter.

Upon the first vote Mr. Bennett received 50 votes and Mr. Gallup 24.

Mr. Bennett was elected.

Mr. Terry made a motion to proceed to elect a short-hand reporter.

The motion was laid on the table.

Mr. Thomas moved that the reporter be authorized to employ three assistants.

Mr. Montamat moved to amend by striking out the word "three" and inserting "two."

Mr. Cazabat moved to lay the amendment on the table.

The motion was tabled.

The motion of Mr. Thomas was adopted. Messrs. Toomey, Davis, Miller, Gannon, Gordon, Smith and Koch were put in nomination for postmaster.

Upon the first vote, no candidate having received a majority of all the votes cast, there was no election.

Upon the second vote, Mr. Gannon received 47 votes, and Mr. Koch 30.

Mr. Gannon having received a majority of all the votes cast, was elected.

Mr. Brott moved that Charles Benedict be declared elected messenger by acclamation.

The motion was carried.

Mr. Thomas moved that the sergeant-at arms be authorized to employ two assistants.

Mr. Montamat moved to lay the motion on the table.

Lost.

The motion of Mr. Thomas was then put to vote and carried.

A motion to adjourn till Friday, the 15th inst., at 12 o'clock, was made and carried, and the Convention adjourned accordingly.

Approved.

JOHN E. NEELIS,
Secretary.

FRIDAY, April 15th, 1864.

The chair called the Convention to order at 12 o'clock, and announced that the proceedings would be opened with prayer by the Rev. Mr. Mason, of the Catholic church.

Mr. Mason offered up the prayer in the French language, and the secretary proceeded to call the roll.

The roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bonzano, Brott, Buckley, Burke, Bennie, Bofill, Bromley, Campbell, Cazabat, Cutler, Cook J. K., Cook T., Crozat, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Harris, Hire, Howell, Howes, Kugler, Maas, Mann, Mendiverri, Montamat, Montague, Morris, Murphy E., Newell, Normand, O'Conner, Ong, Payne, Pintado, Pursell S., Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wilson, and Mr. President—76.

Mr. Heard rose to a question of privilege. He desired to ask a leave of absence for his colleague, Mr. Kugler, on account of illness of some members of his family.

On putting the question the Convention granted the request.

Mr. Fish offered the following resolution, viz :

Resolved, That the Governor of the State be requested to issue his proclamation ordering an election, as early as possible, for one delegate from the Tenth Representative District, to fill a vacancy in the representation from said district and parish.

Mr. Henderson desired to know if there was a vacancy, and moved that the resignation of Messrs. Roselius and Abbott be accepted, and that the governor be requested to issue his writs of election to fill the vacancies.

Mr. Cazabat moved to lay the resolution on the table. Lost.

The motion of Mr. Henderson was then put and carried.

Mr. Stocker offered a resolution directing the printer of the Convention to print 300 copies of the constitutions of 1812, 1845 and 1852.

Mr. Montamat moved to amend by striking out 300 and inserting 200. Carried.

Judge Howell offered the following substitute :

Resolved, That the State librarian be requested to furnish each member with a copy of Phillips's Revised Statutes, during the sitting of this Convention.

The substitute was adopted.

Mr. Stocker offered the following resolution :

Resolved, That the rules and regulations be so amended as to require all ordinances and resolutions to lie over one day, unless referred to some committee, before being acted upon by the Convention.

It was decided that the resolution must, under the rules, lie over one day before being acted on, and Mr. Stocker gave notice that he should offer the resolution the next day.

Mr. Thomas moved that the printer be instructed to furnish 200 copies of the resolutions of Judge Howell for the use of the House.

Mr. Montamat moved to amend by adding the names of the various committees.

Mr. Hills moved to amend by instructing the printer to print the titles of the several sections in the margin.

The amendments were adopted, and the resolution, as amended, adopted.

Mr. Pursell offered the following :

Resolved, That the consideration for a just appreciation of the former services in the cause of the Union, and the great respect entertained by the loyal people of the State of Louisiana for the Hon. C. Roselius, and the fact of his election by the spontaneous action of the truly loyal people of the parish where he has served so long and faithfully,

that he be invited to withdraw his resignation, and to resume his seat in this Convention.

Mr. Henderson moved to lay the resolution on the table.

The resolution was tabled.

Mr. M. W. Murphy offered the following resolutions :

Resolved, That the members of this Convention shall receive from the public treasury a compensation for their services, which shall be ten dollars per day during their attendance, going to and returning from the sessions of this Convention.

Be it further resolved, That a committee of five be appointed by the chair to fix the compensation of the officers and employes of this Convention, and also the mileage of members from the country parishes, and to report as early as possible.

Mr. Brott moved a division of the resolutions.

Mr. Foley moved to lay the resolutions on the table, subject to call.

A motion to lay on the table was lost, and the vote, being taken on the resolution, it was adopted.

The motion to divide was lost. The resolution was adopted.

Col. Thorpe offered the following resolution :

Resolved, That a committee of — members be appointed by the president, to whom all matters shall be referred, brought before this Convention, affecting our relations with the Federal government—the committee to be called the Committee on Federal Resolutions.

Mr. Brott moved to amend by filling the blank with the number five. The amendment was accepted and the resolution adopted.

Mr. Montamat offered the following resolution :

Be it resolved, That the sum of one hundred thousand dollars be, and the same is hereby appropriated out of the general fund, for the purpose of paying the members, officers and employes of this Convention, the mileage and per diem to which they are respectively entitled ; the same to be paid by the treasurer of the State, on the warrant of the President of the Convention.

Mr. Cazabat moved to lay the resolution on the table.

The motion was lost.

A motion to adopt was made, upon which

the ayes and nays were called, with the following result :

YEAS — Messrs. Abell, Austin, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Cook J. K., Cook T., Crozat, Duane, Dufresne, Foley, Gorlinski, Gaidry, Healy, Heard, Henderson, Howes, Mann, Maurer, Mendi-verri, Montamat, Montague, Murphy M. W., O'Conner, Poynot, Pursell S., Schroeder, Smith, Spellicy, Stiner, Sullivan, Terry, Waters, Wilson—37.

NAYS—Messrs. Barrett, Bonzano, Bromley, Brott, Burke, Campbell, Cazabat, Davies, Dupaty, Ennis, Fish, Flag, Flood, Fosdick, Gastinel, Geier, Goldman, Harnan, Hart, Hills, Hire, Howell, Maas, Millsbaugh, Morris, Murphy E., Ong, Payne John, Pintado, Purcell John, Seymour, Shaw, Stocker, Stumpf, Stauffer, Thorpe, Thomas—37.

There being a tie, the chair voted nay.

Mr. Cazabat asked for the calling of the roll as a quorum was not voting.

The roll was called and seventy-seven members found present.

The chair directed the roll to be called again, and the vote was as follows :

YEAS—Messrs. Abell, Austin, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Cook J. K., Cook Terrance, Crozat, Davies, Duane, Dufresne, Flag, Foley, Geier, Gorlinski, Gaidry, Healy, Heard, Henderson, Hire, Howes, Maurer, Mendi-verri, Millsbaugh, Montamat, Montague, Murphy M. W., O'Conner, Poynot, Purcell J., Pursell Sam., Schroeder, Seymour, Smith, Spellicy, Stiner, Sullivan, Terry, Thorpe, Waters, Wilson—45.

NAYS—Messrs. Ariail, Bailey, Barrett, Bromley, Bonzano, Brott, Campbell, Cazabat, Dupaty, Ennis, Fish, Fosdick, Gastinel, Goldman, Harnan, Hart, Hills, Howell, Maas, Mann, Morris, Murphy E., Ong, Payne J., Pintado, Shaw, Stocker, Stumpf, Stauffer, Thomas—30.

And the resolution was adopted.

The following standing committees were announced, having been appointed by the chair, in pursuance of resolutions previously adopted :

EMANCIPATION. — Bonzano, chairman ; Howell, Abell, Edwards, Goldman, Stocker, Cazabat, Bennie, Murphy E., Paine J. T., Schroeder—11.

PREAMBLE—Heard, chairman ; Montague, Sullivan, Cook T., O'Conner, Spellicy, Waters—7.

DISTRIBUTION OF POWERS—Thomas, chairman ; Kugler, Foley, Bofill, Stumpf, Ong, Bromley—7.

LEGISLATIVE DEPARTMENT — Fosdick, chairman ; Thorpe, Stauffer, Cazabat, Hire,

Knobloch, Schnurr, Taliaferro, Wells—9.

EXECUTIVE DEPARTMENT.—Fish, chairman, Austin, Gruneberg, Bromley, Crozat, Davies, Mann—7.

JUDICIARY DEPARTMENT.—Howell, chairman; Heard, Beauvais, Fuller, Henderson, Cutler, Seymour—7.

IMPEACHMENT—Wilson, chairman; Bailey, Gastinel, Morris, Paine J. T., Smith—6.

GENERAL PROVISIONS—Mann, chairman; Cook J. K., Foley, Geier, Maas, Wenck, Buckley—7.

INTERNAL IMPROVEMENTS — Gorlinski, chairman; Ariail, Campbell, Flood, Healy—5.

PUBLIC EDUCATION — Hills, chairman; Howes, Lobdell, Burke, Hart, Murphy M. W., Terry, Wells, Gaidry, Balch, Edwards, Maurer—11.

MODE OF REVISING THE CONSTITUTION.—Cutler, chairman; Knobloch, Baum, Stiner, Harnan—5.

SCHEDULE—Gruneberg, chairman; Dupaty, Shaw, Dufresne, Ennis, Flagg, Gaidry—7.

ORDINANCE—Shaw, chairman; Poynot, Kavanagh, Kugler, Mendiverri—5.

ENROLLMENT—Thorpe, chairman; Brott, Millsbaugh, Pintado, Crozat—5.

FINANCE—Brott, chairman; Montamat, Normand, Schnurr, Sullivan—5.

EXPENSES—Pursell S., chairman; Bell, Duane, Newell, Payne J., of Jefferson—5.

PRINTING—Pursell J., chairman; Fuller, Barrett—3.

Mr. Stauffer submitted the following resolution, with the request that it be read and permitted to lie over till to-morrow :

Resolved, That a committee of five members be appointed by the president to wait upon the proper State officers and ascertain if any and what amount of bonds have been issued, and what amount, if any, remain outstanding, which bonds have been issued for the purpose of arming and equipping the State militia against the lawful authority of the United States, and in violation of the constitution and laws of this State.

Mr. Montamat offered the following resolution, the rules being suspended :

Resolved, That the Committee on Enrollment be, and they are hereby authorized to appoint one chief clerk and as many enrolling clerks as may be necessary.

The resolution was adopted.

Mr. Hills moved that when the Convention adjourn, it adjourn till 5 o'clock to-morrow evening.

Mr. Montamat amended till 1 o'clock, Mr. Stauffer till 12, and Mr. Harnan till 7.

On motion all the amendments were laid on the table.

The motion of Mr. Hills was then carried.

Mr. Stocker offered the following resolution :

Resolved, That a committee of five be appointed by the president to inquire into the cause of the absence of Messrs. Wells, of Rapides, and Taliaferro, of Concordia; and also to inquire into the expediency of ordering an election to fill their places.

Mr. Heard moved to amend by adding the name of Mr. Lobdell, of West Baton Rouge.

Mr. Cazabat moved to lay it on the table, which was lost.

The amendment was carried, and the resolution as amended adopted.

The chair appointed Messrs. Stocker, Montague, Ariail, Mann and Heard.

Mr. Gastinel offered the following resolution, which was adopted :

Resolved, That a committee of five members of this body be appointed by the president to wait upon the governor and inform him that the Convention is organized and prepared to receive any communication he may have to make to this body.

The chair appointed Messrs. Gastinel, Shaw, Thomas, Goldman and Boffil.

Col. Thorpe offered the following :

Resolved, That section 54 of the rules of the Convention read as follows: "A quorum shall consist of two-thirds of the members elected and admitted to this Convention."

Which was laid over.

Mr. Howell said that he had been requested by the president to ask the members to remain after the adjournment in order to perfect the organization of the committees.

The Convention then adjourned till to-morrow at 5 o'clock P. M.

Adopted.

JOHN E. NEELIS,
Secretary.

SATURDAY, April 16, 1864.

The Convention met pursuant to adjournment.

In the absence of the president the secretary took the chair and called the Convention to order.

Mr. Hills moved that Judge Howell be appointed president *pro tem.*, which motion being unanimously carried,

Judge Howell took the chair and introduced the Rev. Mr. Hopkins, who opened the proceedings with prayer.

On a call of the roll the following members answered to their names :

Messrs. Abell, Atrial, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Boffil, Bonzano, Bromley, Brott, Buckley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gaidry, Healy, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Paine, Pintado, Poynot, Purcell J., Purcell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Thomas, Wenck, Wilson—78.

The secretary commenced reading the minutes, when Mr. Montamat moved to dispense with the reading.

Mr. Cazabat moved to lay the motion to dispense with the reading on the table. Lost.

The vote was taken on the motion to dispense with the reading of the journal, and it was lost.

The journal was then read and adopted, without correction.

Mr. Montamat offered the following resolution :

Resolved, That the sum of \$100 be paid to the assistant secretary *pro tem.*, for his services before the Convention was organized.

The resolution was unanimously adopted.

Mr. Bell offered a resolution to authorize each committee to appoint as many clerks as they may deem necessary, which was referred to the Committee on Enrollment.

Mr. S. Purcell offered the following resolution :

Be it resolved, That article ninety-six of the constitution of the State of Louisiana be so altered and amended as to read thus : "All civil officers for the State at large shall be voters of and reside in the State, and all district or parish officers shall be voters in and reside within their district or parish, and shall keep their offices in such places therein as may be required by law."

Which resolution, after a motion had been made to refer to the Committee on General Provisions, was laid on the table.

Mr. Montamat offered the following resolution :

Resolved, That Hon. A. A. Atocha, provost judge of the Department of the Gulf, be and is hereby invited to a seat within the bar of this Convention.

Mr. Goldman moved to lay it on the table.

Mr. Montamat demanded the yeas and nays, and the result was—yeas 9, nays 73, as follows :

YEAS—Messrs. Bailey, Bonzano, Bromley, Ennis, Flagg, Goldman, Hills, Maas, Millspaugh—9

NAYS—Messrs. Abell, Atrial, Austin, Barrett, Baum, Beauvais, Bell, Boffil, Brott, Buckley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Edwards, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Lobdell, Mann, Maurer, Mendiverri, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne of Jefferson, Poynot, Purcell J., Purcell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson.

Mr. Thorpe moved to amend by inviting all the judicial officers in the city to seats within the bar.

The amendment was accepted and the resolution was then put upon its passage, upon which a division of the house was called, resulting in—ayes, 68 ; nays, 8. The resolution, as amended, was adopted.

Mr. Brott offered the following :

Resolved, That the attorney general of the State be and is hereby requested to give this Convention his legal opinion as to the right of this body to exercise legislative powers, to appropriate moneys from the public treasury.

On motion of Mr. Henderson, the resolution was laid on the table.

Mr. Gastinel offered the following resolution :

Resolved, That the journal and debates of the Convention be printed by the printer of this Convention in English and French separately, and that each member of the Convention be furnished with three copies of the journals and debates for distribution among his constituents, each member to select copies in either language.

Mr. Hills moved to amend by striking out the section requiring the publication in the French language.

Mr. Healy moved to lay the amendment on the table. The ayes and nays being called for, the following gentlemen voted :

AYES—Messrs. Abell, Austin, Bailey, Baum, Beauvais, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Foley, Fosdick, Fuller, Gastinel, Goldman, Gorkinski, Gruneberg, Gaidry, Healy, Hart, Heard, Hire, Howes, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat, Murphy M. W., Newell, Normand, Pintado, Poynot, Purcell Jno., Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Thomas, Wenck—60.

NAYS—Messrs. Ariail, Barrett, Burke, Campbell, Davies, Duane, Flood, Geier, Henderson, Hills, Howell, Montague, Morris, Murphy E., O'Conner, Payne John, Pursell Sam'l, Schroeder, Stauffer, Wilson—20.

Mr. Hills's amendment was laid on the table.

Mr. Goldman then amended by adding the German, which was adopted.

Mr. Stocker offered the following substitute :

Resolved, That the official printer be, and he is hereby authorized to print for the use of the Convention 300 copies of the journal in each of the following languages: English, French, German and Spanish.

Which resolution was lost.

Mr. Terry moved to amend the substitute by adding the word Irish, which was declared by the president to be adopted, when the yeas and nays were called with the following result.

YEAS—Messrs. Campbell, Crozat, Davies, Flagg, Flood, Geier, Healy, Terry and Wenck—9.

NAYS—Messrs. Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Cazabat, Cook J. K., Cook T., Cutler, Dufresne, Duane, Dupaty, Edwards, Ennis, Fish, Foley, Fosdick, Fuller, Gastinel, Gorkinski, Gaidry, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montague, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Payne Jno., Poynet, Purcell Jno., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Thorpe, Thomas, Wilson—63.

Mr. Terry's motion was lost.

A motion was made to strike out all excepting the English and French languages.

Mr. Cazabat moved to lay the substitute on the table. Carried.

The original resolution offered by Mr. Gastinel was then put and adopted.

By Mr. Sullivan,

Resolved, That the delegates of foreign birth, who have not produced their naturalization papers, showing to this Convention that they are citizens of the United States, agreeably to resolution passed on Wednesday last, shall produce their naturalization papers immediately, or their seats will be declared vacant in this body.

Mr. Foley moved to amend by saying, "those members who have not produced their naturalization papers, should swear that they were naturalized citizens."

Mr. Healy stated that some of them from the country could not produce their papers, and moved to table the whole, which was carried.

Mr. Bell moved that the secretary read the names of those members of foreign birth who had produced their certificates of naturalization to the president in obedience to the resolution, but after some remarks by several members, the resolution was laid on the table.

Resolution by Mr. S. Pursell :

Be it resolved, That the following be adopted as an article in the constitution of the State of Louisiana :

No profession, occupation, business or calling, requiring a license from any authority within this State, shall be exercised or carried on by any other than citizens of the United States, and those having made their legal declaration of becoming citizens.

The motion was seconded, when Mr. Cazabat moved to table it, and Mr. Thomas to refer it to the Committee on General Provisions, which were seconded.

The president stated he considered these motions out of order, but would put them, if desired. No request to do so was moved.

The following was presented :

Resolved, That the sergeant-at-arms be instructed to procure for the members and secretary of this Convention, five copies of such daily papers as may be selected by them.

The motion was seconded.

Mr. Thomas moved to insert "three" in-

stead of "five," and was seconded. The amendment was then carried, and the original resolution adopted as amended.

Mr. Montamat moved that the Committee on Finance be authorized to appoint a warrant clerk, which motion was carried.

Mr. Seymour presented the following :

Whereas, The resolution adopted on the — instant, requiring the members of this Convention to produce evidence of having taken the oath prescribed by the president in his proclamation of December 8th, 1863, was intended and should be so construed as to apply only to such members, if any, who had not, up to that date, taken the oath of allegiance to the United States, under the previous military orders in this department ; be it

Resolved, That the resignation of the Hon. Christian Roselius be set aside, and that he be invited to resume his seat as a member of this Convention.

Resolution was tabled.

Mr. Fosdick moved to adjourn until the 21st, at 12 o'clock, on account of sitting of committees.

Resolution tabled.

Mr. Healy moved to adjourn till Monday, 3 p. m. Seconded.

Mr. Cazabat amended to Monday week at 5 o'clock, which was seconded.

Mr. Sullivan moved to lay the motion and amendment on the table. Carried.

Mr. Hills moved that when the Convention adjourn, they do so until Saturday, 4 o'clock, for reasons previously stated. Lost.

Mr. Terry moved that when the Convention adjourn, it adjourns till Wednesday evening at 5 o'clock, which was carried by a vote of 46 to 26.

The president appointed as the Standing Committee on Federal Relations, Messrs. Howell, Brott, Montague and Henderson.

The chair appointed as the committee to fix the compensation of the officers and employes of the Convention, Messrs. M. W. Murphy, Terry, Mann, Fosdick and Ennis.

Mr. Stocker called up the following, offered on Friday :

Resolved, That the rules and regulations be so amended as to require all ordinances and resolutions to lie over one day (unless referred to some committee) before being acted upon by the Convention.

The resolution was adopted.

Mr. Thomas, chairman of the Committee on the Distribution of Powers, reported that the committee, after due deliberation, had come to the unanimous conclusion that the constitution of 1852 should not be changed in any respect in the title which treats upon the subject of the distribution of powers, and submitted the same to the consideration of the Convention.

Mr. Brott moved to refer the report back to the committee with instructions to incorporate the title reported on in their report.

The motion was carried.

A motion to adjourn was then made and carried, and the chair declared the Convention adjourned till Wednesday next, at 5 o'clock p. m.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, April 20th, 1864.

The Convention met pursuant to adjournment, and was called to order by the president at the hour of five p. m.

The proceedings were opened with prayer by the Rev. Mr. Andrews.

The roll was called by the secretary, and the following gentlemen answered to their names :

Messrs. Abell, Atrial, Austin, Barrett, Bell, Boffil, Bonzano, Bromley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Davies, Dufresne, Duane, Dupaty, Durell, Edwards, Ennis, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne John, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wilson—74.

There being no quorum present, the president directed the sergeant-at-arms to procure the attendance of absent members.

The following gentlemen, Messrs. Balch, Bailey, Baum, Beauvais, Buckley, Brott, Campbell, Fish, Flood and Montamat, having entered the hall and taken their seats, the president announced that a quorum was present.

The minutes of Saturday, being read and amended, were approved.

Mr. Foley moved a reconsideration of the resolution relative to the publication of the proceedings of this Convention in English and French. The president declared Mr. Foley not in order.

Resolutions now being in order, Mr. Howell offered the following :

Resolved, That hereafter this Convention shall meet at 11 o'clock A. M., and adjourn at 3 o'clock P. M., daily, (Sundays excepted) and the order of the day shall be promptly taken up at the hour of 12 M., each day.

Laid over until to-morrow.

Mr. Smith offered the following :

Resolved, That the Committee on General Provisions be instructed to embody in their report an article or articles, making it obligatory on the first Legislature to convene under the constitution to compel the several parishes, corporations, as well as private citizens, throughout the State, that have issued sight drafts, notes or *shinplasters*, payable in Confederate money, or otherwise, to provide for the redemption of the same in current funds.

Mr. Mendiwerri offered the following :

Resolved, That the State auditor furnish this Convention, as soon as practicable, with a statement showing the receipts and expenditures of the State treasury under the administration of General G. F. Shepley, late military governor of the State, as far as the books and records in his possession may show, and expressing each item of receipt and expenditure in detail ; also, if any balance was received from the late treasurer, and if so, the amount and the kind and description of funds.

Mr. Wilson moved to lay it on the table, which motion was lost, and the original resolution was adopted.

Mr. Stocker then called attention to his rule adopted at the last meeting, according to which every resolution was to lie over until the following day, unless referred to a special committee.

Mr. Hills offered the following resolution, to lie over until to-morrow :

Resolved, That the secretary be directed to obliterate from the records of this Convention the resolution inviting A. A. Atocha and the judicial officers of this parish to occupy a seat in this Convention.

Mr. Wilson moved to lay on the table. Decided out of order.

Mr. Sullivan offered the following :

Resolved, That a committee consisting of five members be appointed by the president of this Convention for the purpose of corresponding with and requesting the authorities in Washington City for the return, to the State of Louisiana, of Powers's grand statue of Washington, taken from the Capitol building in Baton Rouge by the United States forces, on the occupation of that place by the Federal army, and sent by them as a trophy to adorn the Central Park, New York city, where it is now placed.

The president was unable to determine upon a *viva voce* vote, and upon a rising vote the resolution was adopted by 49 yeas to 23 nays.

Mr. Wenck offered the following, which was seconded :

I move a reconsideration of the vote adopting the resolution requiring the journal and debates of this Convention to be published in the English and French languages, and furnishing each member with three copies thereof.

Mr. Montamat moved to lay it on the table. The vote was taken, resulting as follows : Yeas 42, nays 37.

The question then recurred upon the adoption of Mr. Wenck's motion to reconsider, when the yeas and nays were called. Yeas 40, nays 44, as follows :

YEAS—Messrs. Ariail, Barrett, Bonzano, Brott, Burke, Campbell, Cook J. K., Davies, Duane, Ennis, Flood, Fostick, Geier, Goldman, Gorlinski, Harnan, Heard, Henderson, Hills, Howell, Howes, Kavanagh, Kugler, Lobdell, Maas, Mann, Montague, Morris, Ong, Payne J., Pintado, Pursell S., Schroeder, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Wenck, Wilson—40.

NAYS—Messrs. Abell, Austin, Balch, Bailey, Baum, Beauvais, Bell, Bofill, Buckley, Cazabat, Cook T., Crozat, Cutler, Dufresne, Dupaty, Durell, Edwards, Fish, Flag, Foley, Fuller, Gastinel, Gruneberg, Gaidry, Healy, Hart, Hire, Knobloch, Lobdell, Maurer, Mendiwerri, Millspaugh, Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Pintado, Poynot, Seymour, Shaw, Terry, Thorpe, Thomas—44.

Mr. Gorlinski offered the following resolutions :

Resolved, That the regular hour for the meeting of this Convention, during the remainder of its sittings, shall be 12 o'clock M., and any member not answering to his name when the roll is called, shall forfeit the sum of two dollars, to be deducted from his per diem, and any member who shall be absent from his seat an entire day, shall forfeit his per diem for each day he shall fail to attend,

unless absent by permission of the Convention, or for sickness, either in his own person or family, the proof of which shall be a certificate from a regular physician.

Resolved further, That the secretary keep a record of the names of all members not answering at roll call, and the names of all members who shall be absent from their seats an entire day, and for each day so absent, unless they have leave of absence from the Convention; and to make a list of said members at the end of every week, a copy of which shall be furnished the Committee on Finance and a copy to the president of the Convention, who will strictly enforce the penalties as prescribed in the foregoing resolution.

The resolutions were seconded.

Mr. Austin moved the resolution be laid on the table, whereupon Mr. Stocker desired that his resolution of the last day's meeting should be read for the information of the Convention.

The following was then read :

Resolved, That the Rules and Regulations be so amended as to require all orders and resolutions to lie over one day, unless referred to some committee, before being acted upon by the Convention.

Mr. Sullivan's motion to lay it on the table was decided to be out of order.

Mr. Montamat notified the House that he should, at the next sitting, introduce a resolution to amend Article 52 of the Rules and Regulations.

Mr. Gaidry offered the following :

Whereas, All the constitutions ever framed in this State have decreed that all judicial and legislative proceedings should take place in the French and English languages ;

And Whereas, Several members of this Convention, who are true republicans and loyal to the core, but are not very familiar with the English language, have been delegated to this convention by constituents who are also unacquainted with the said language—which right to choose delegates as they please said constituents possessed, as they are the sovereign people, and that to deny such supreme right would be tantamount to disfranchise said people ;

Resolved, That all resolutions and motions to be presented in this Convention be translated into the French language, so that the members from the several parishes, who are not familiar with the English language, be fully aware of what they are voting upon.

Mr. Cazabat stated that in order to facilitate the progress of business he presented the following :

Whereas, This Convention is assembled for the purpose only of *revising and amending the constitution of Louisiana*, and for no other purpose,

Be it Resolved, That no resolution on any other subject but that above stated, shall be received or entertained by this Convention.

Mr. Wenck offered the following:

Resolved, That the resolution adopted allowing each member of this Convention a compensation of ten dollars a day, be repealed.

M. Harnan called for the reading of Judge Howell's resolution, which was as follows :

Resolved, That the resolution adopted on Friday, 15th April, 1854, in the following words, to-wit : "*Be it resolved*, That the sum of one hundred thousand dollars be and the same is hereby appropriated out of the general fund, for the purpose of paying the members, officers and employés of this Convention, the mileage and per diem to which they are respectively entitled; the same to be paid by the treasurer of the State, on the warrant of the president of the Convention," be and the same is hereby rescinded.

Resolved, first, That the resolution, adopted on Friday, 15th April, 1864, in the following words, to-wit : "*Resolved*, That the members of this Convention shall receive from the public treasury a compensation for their services, which shall be ten dollars per day during their attendance on, going to and returning from the session of this Convention," be and the same is hereby rescinded.

Resolved, second, That the compensation for the services of the members of this Convention shall be the same as allowed to the members of the General Assembly by the constitution adopted in 1852.

Mr. Goldman seconded.

Mr. Montamat remarked that this had already been voted down, and the president informed him it was to lie over till to-morrow.

Mr. Austin reiterated Mr. Montamat's statement, to which the president made the same reply as before.

Mr. Goldman offered the following :

Resolved, That the amendment to publish an official report in the German language is hereby embodied in the original motion to publish in the English and French languages.

The president decided it was out of order.

Mr. Cazabat asked to reconsider the resolution of Mr. Sullivan in relation to the statue of Washington, when that gentleman

said he had no objection to the resolution lying over till to-morrow.

Mr. Brott tendered his resignation as a member of the Committee on Enrollment, which was accepted by the Convention, and the president appointed Mr. Mendiverri to supply the vacancy.

The president announced that the report of the committees would be presented in order.

Mr. Bonzano, as chairman of the Committee on Emancipation, stated that they had not yet completed their labor.

Mr. Heard, as chairman of the Committee on Preamble, submitted the following :

To the Honorable the President and Members of the Constitutional Convention :

The committee appointed by the president to prepare a preamble to the constitution which is to be framed by this Convention, beg leave to make the following report :

They have thought it best so adopt the preamble to the constitutions of eighteen hundred and forty-five and fifty-two—which reads as follows : “We, the people of the State of Louisiana, do ordain and establish this constitution,” and recommend its adoption.

Respectfully submitted.

H. J. HEARD, *Chairman.*

The report was adopted.

Mr. Thomas, as chairman of the Committee on Distribution of Powers, submitted the following :

Your committee on Distribution of Powers respectfully submit the following report :

That Articles Nos. 1 and 2 of the constitution of 1852 ought not in any manner to be altered or changed, which articles read as follows :

“Art. 1. The powers of the government of the State of Louisiana shall be divided into three distinct departments, and each of them be confided to a separate body of magistracy, to-wit ; those which are legislative to one, those which are executive to another, and those which are judicial to another.

“Art. 2. No one of these departments, nor any person holding office in one of them, shall exercise power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.”

All of which is respectfully submitted.

JOHN W. THOMAS, *Chairman.*

The report was adopted.

Mr. Fosdick, as chairman of the Committee on Legislative Department, reported

progress, as did Mr. Fish, chairman of the Committee on Executive Department, and also Mr. Howell, chairman of the Committee on Judicial Department.

Mr. Wilson, as chairman of the Committee on Impeachment, submitted their report, which Mr. Hills moved be referred back to the committee, which motion, being seconded by Mr. Waters, was carried.

Mr. Mann, as chairman of the Committee on General Provisions, reported progress, as did Mr. Gorlinski, chairman of the Committee on Internal Improvements, and also Mr. Hills, chairman of the Committee on Public Education.

Mr. Cutler, chairman of the Committee on Mode of Revising the Constitution, reported progress, as did Mr. Gruneberg, chairman of the Committee on Schedule, and Mr. Shaw, chairman of the Committee on Ordinance.

Mr. Thorpe, chairman of the Committee on Enrollment, stated that the report was in the hands of the president.

Mr. Brott, chairman of the Committee on Finance, reported that the committee had no finances on hand, and had no occasion to draw any warrants.

Mr. S. Pursell, chairman of the Committee on Expenses, and Mr. J. Purcell, chairman of the Committee on Printing, reported progress.

Mr. Wilson moved to adjourn till Monday next, 5 P. M., that the committees might perfect their reports.

The motion was seconded, and Mr. Crozat amended to 12 o'clock, and Mr. Montamat amended to Saturday at 12 o'clock, which was lost.

On motion of Mr. Bell, the Convention then adjourned till 12 o'clock, Thursday, the 21st inst.

Minutes adopted.

JOHN E. NEELIS,
Secrétary.

THURSDAY, April 21st, 1864.

The Convention met at 12 o'clock M., pursuant to adjournment, and was called to order by the president.

The proceedings were opened with prayer by the Rev. Mr. Gilbert.

The secretary called the roll, when the

following gentlemen answered to their names:

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Beauvais, Bell, Bofill, Bonzano, Brott, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Davies, Dufresne, Duane, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Poynot, Pursell S., Purcell J., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wenck, Wells, and Mr. President—76.

The president announced that a quorum was present.

The secretary then proceeded to read the minutes of the previous day's proceedings.

On motion of Mr. Stiner, the reading of the names of members was dispensed with. The minutes were adopted.

Mr. Goldman said that, according to the report, his resolution, which was

Resolved, That the amendment to publish an official report in the German language is hereby embodied in the original motion to publish in the English and French languages—

Was decided by the president to be out of order, and wished to know if the chair had a right to declare such a motion out of order when the amendment had been carried, remarking that he did not hear the decision of the chair or he should have appealed at the time, but that under the circumstances he asked permission of the Convention to appeal then.

The president decided that the appeal should have been made at the time of the decision.

Upon Mr. Thomas's statement that he desired to be excused on account of illness, Mr. Sullivan moved his request be granted, which was accordingly done.

Upon Mr. Goldman's asking the chair if his appeal was out of order, he was informed that it was so considered, and the Convention, upon the question being put, sustained the chair.

Mr. Heard presented a letter from his colleague (Mr. Schnurr) asking to be excused from the Convention on account of

illness in his family, and no objection being made, that was ordered.

The chair informed the Convention that as there were no petitions or memorials, resolutions were in order and that new ones took precedence.

Mr. Gorlinski presented the following:

Whereas, On the evacuation of Baton Rouge, after the ever-memorable battle of the 5th day of August, 1862, Colonel Payne, of the Fourth Wisconsin volunteers, then commanding the post of Baton Rouge, crowned his heroic deeds of that day by an act which has secured to the use of this Convention and the State, a valuable public library, together with Thorpe's great painting of General Zachary Taylor, and other paintings, which now adorn the hall of this Convention, and also saved Hiram Powers's statue of Washington, which is said now to be in the Patent Office at the national capital—all of which would have been stolen or destroyed by fire, which demolished the State House, had not Colonel Payne caused the same to be removed to this city, when by order of General Butler they were protected as the property of the State; therefore, be it

Resolved, That the thanks of this Convention and of the people of Louisiana are due and are hereby tendered to Major General B. F. Butler and Colonel Payne for saving the above mentioned valuable State property.

Resolved further, That the governor be and is hereby requested to correspond with the authorities at Washington, and make suitable arrangements for the return and reception of the above mentioned statue of Washington and its future disposition in this State.

Mr. Campbell presented the following:

Whereas, The United States bounty paid to soldiers enlisting in the army, cannot be paid to men enlisting in the First and Second regiments of New Orleans volunteers, now being raised under Cols. Kilborn and Brown, because of their being organized for a specific purpose, that of the city defence alone, and wishing to aid in filling the same;

Resolved, That the sum of ——— dollars be and the same is hereby appropriated by the State, to pay a bounty to each man who may hereafter enlist in the First and Second regiments of New Orleans volunteers, and that the governor is hereby authorized to carry the same into effect according to his best judgment.

Mr. Stocker said he considered this a very important resolution, and, in order that all might vote upon it understandingly, moved that it be printed and laid upon

the members' desks by the morrow morning.

Motion was seconded but apparently lost on *viva voce* vote, when a division was called, and it was declared lost—yeas 36, yeas 34.

Mr. Hills presented the following :

Resolved, That No. XXXII of the Rules and Regulations of this Convention be so amended as to require members offering resolutions to read the same, or make a statement of their contents from their seats.

Mr. Stocker moved a suspension of the rules in order that the section might be adopted at once.

Motion seconded.

Mr. Stauffer thought the XXXII Rule provided the same, but was informed that it did not, and upon *viva voce* the resolution to dispense with the rules was undecided, whereupon a rising vote was taken and decided in the affirmative—yeas 54, nays 5.

The resolution was then unanimously adopted.

The chairman of the Standing Committee on Emancipation, Legislative Powers, Executive and Judiciary Departments, reported progress.

Mr. Wilson as chairman of the Committee on Impeachment, submitted the following :
To the President and Members of the Convention to "Revise and Amend the Constitution of Louisiana :"

Your committee respectfully submit the following report :

The power of impeachment shall be vested in the House of Representatives.

Impeachments of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, and of the judges of the inferior courts, justices of the peace excepted, shall be held by the Senate; the chief justice of the Supreme Court, or the senior judge thereof, shall preside during the trial of such impeachment. Impeachments of the judges of the Supreme Court shall be tried by the Senate. When sitting as a Court of Impeachment, the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the Senators present.

Judgments in cases of impeachments shall extend only to removal from office, and disqualification from holding any office of honor, trust, or profit under the State; but the convicted parties shall, nevertheless, be subject to indictment, trial, and punishment according to law.

All officers against whom articles of im-

peachment may be preferred, shall be suspended from the exercise of their functions during the pendency of such impeachment; the appointing power may make a provisional appointment to replace any suspended officer until the decision of the impeachment.

The Legislature shall provide by law for the trial, punishment and removal from office of all other officers of the State by indictment or otherwise.

Jos. H. WILSON, Chairman.
A. J. BAILEY,
CHARLES SMITH,
L. GASTINEL,
ROBT. MORRIS.

The report was unanimously adopted on motion of Mr. Stocker.

Mr. Foley's motion, to print two hundred copies of the report for the members, was lost.

Messrs. Mann, Gorlinski, Hills, Cutler, Gruneberg and Shaw, as chairmen of Committees on General Provisions, Internal Improvements, Public Education, Mode of Revising the Constitution, Schedule and Ordinance, reported progress.

Messrs. Brott, S. Pursell and J. Purcell, chairmen of Committee on Finance, Expenses and Printing, announced that they had no reports to make.

Mr. Thorpe, as chairman, said the Committee on Federal Relations would report in the morning.

Mr. Gastinel submitted the following report of the Select Committee :

On behalf of the committee appointed to wait upon his excellency the governor, and inform him that the Convention was organized, and to inquire whether he had any communication to make to this body, I beg leave to report :

That the committee waited upon his excellency, who in substance replied that he did not consider that it would be becoming, nor within his province to transmit a message, or make suggestions, or recommendations to the Convention, but that he would stand ready at any time to afford all facilities and information that may be required by this body from the Executive Department.

The committee having done their duty, beg leave to be discharged.

L. GASTINEL, Chairman.

Upon Mr. Foley's motion the report was adopted.

Mr. M. W. Murphy, chairman of the Special Committee on fixing the compensation of the officers and employes of the

Convention, presented the following report :

Mr. President—Your committee on fixing the compensation of officers and employes of the Convention, make the following report :

John E. Neelis, secretary.....	\$14 per day.
Thomas H. Murphy, assistant secretary.....	10 ..
S. G. Hamilton, assistant secretary.....	10 ..
Michael DeCoursey, sergeant-at-arms.....	10 ..
Two assistant sergeants-at-arms, each.....	5 ..
Two messengers, each.....	5 ..
One postmaster.....	5 ..
One doorkeeper.....	5 ..
One reporter and three assistants, each.....	6 ..
One warrant clerk.....	6 ..
Enrolling clerks, each.....	6 ..

In relation to the compensation of the printer of the Convention, your committee ask for further time to report.

The mileage of all members from the country parishes, twenty cents per mile, going and coming.

All compensation to officers and employes shall commence from the day of their election or appointment.

(Signed) M. W. MURPHY, Chairman.
GEO. A. FOSDICK,
J. RANDALL TERRY,
W. D. MANN.

On motion of Messrs. Wilson and Heard, the report was referred back to the committee.

Mr. Stauffer arose to a point of order, and called for a report from the Select Committee appointed at the commencement of the session to investigate matters in regard to an assault upon some of the members of the Convention.

Mr. Wilson, as chairman of said committee, stated that a report would soon be made.

Resolutions laid over until this session were announced as next in order, which the members were requested to call for in course.

Mr. Howell's resolution was first read :

Resolved, That hereafter this Convention shall meet at 11 o'clock A. M., and adjourn at three o'clock P. M., daily, (Sundays excepted); and the order of the day shall be promptly taken up at the hour of 12 M. each day.

Mr. Stauffer moved as an amendment "at 10 o'clock," and to strike out "adjourn at 3 o'clock."

Motion seconded.

Mr. Wilson offered a substitute "to meet permanently at 5 o'clock."

Seconded but laid on the table.

After some further discussion, the resolution was amended "to 12 o'clock," and the hour of order of the day having been amended "to 1 o'clock," the resolution was adopted.

The following (Mr. Cazabat's) resolution was read and laid on the table :

Whereas, This Convention is assembled for the purpose only of *revising and amending the Constitution of Louisiana*, and for no other purpose ;

Be it Resolved, That no resolution on any other subject but that above stated, shall be received or entertained by this Convention.

Mr. Sullivan's resolution :

Resolved, That a committee, consisting of five members, be appointed by the president of this Convention for the purpose of corresponding with and requesting the authorities in Washington City for the return, to the State of Louisiana, of Powers's grand statue of Washington, taken from the Capitol building in Baton Rouge by the United States forces on the occupation of that place by the Federal army, and sent by them to the Patent Office at Washington, where it is now placed.

Mr. Gorlinski offered a substitute for this resolution, but the president decided that it was not in order.

The resolution was then put to vote, a division being called for, resulting ayes 53, nays 21.

The resolution was adopted.

The president appointed on this committee Messrs. Sullivan, Stiner, Burke, Ennis and Waters.

Mr. Smith's resolution was then taken up and read, as follows :

Resolved, That the Committee on General Provisions be instructed to embody in their report an article or articles, making it obligatory on the first Legislature to convene under the constitution to compel the several parishes, corporations, as well as private citizens throughout the State, that have issued sight drafts, notes or *shin-plasters*, payable in Confederate money, or otherwise, to provide for the redemption of the same in current funds.

Mr. Cazabat moved to lay the resolution on the table, which was seconded, but lost.

Mr. Cutler moved to refer the resolution to the Committee on General Provisions.

Before the question was put, Mr. Stocker called for the reading of the resolution a second time.

The motion to refer was lost.

The question on the adoption of the resolution was then put, and a division being called for was lost by a vote of 48 nays to 13 yeas.

Mr. Howell called for his resolutions, and the following were read :

Resolved, That the resolution adopted on Friday, 15th April, 1864, in the following words, to-wit :

"*Be it resolved*, That the sum of one hundred thousand dollars be and the same is hereby appropriated out of the general fund, for the purpose of paying the members officers, and employes of this Convention, the mileage and per diem to which they are respectively entitled ; the same to be paid by the treasurer of the State, on the warrant of the president of the Convention," be and the same is hereby rescinded.

Resolved, first, That the resolution, adopted on Friday, 15th April, 1864, in the following words, to-wit : "*Resolved*, That the members of this Convention shall receive from the public treasury a compensation for their services, which shall be ten dollars per day during their attendance on, going to, and returning from the sessions of this Convention," be and the same is hereby rescinded.

Resolved second, That the compensation for the services of the members of this Convention shall be the same as allowed to the members of the General Assembly by the constitution adopted in 1852.

On motion of Mr. Sullivan, the resolution was laid on the table.

Mr. Gorlinski called for the following :

Resolved, That the regular hour for the meeting of this Convention, during the remainder of its sittings, shall be 12 o'clock m., and any member not answering to his name, when the roll is called, shall forfeit the sum of two dollars, to be deducted from his *per diem*, and any member who shall be absent from his seat an entire day, shall forfeit his *per diem* for each day he shall fail to attend, unless absent by permission of the Convention, or for sickness, either in his own person or family, the proof of which shall be a certificate from a regular physician.

Resolved, further, That the secretary keep a record of the names of all members not answering at roll-call, and the names of all members who shall be absent from their seats an entire day, and for each day so absent, unless they have leave of absence from the Convention ; and to make a list of

said members at the end of every week, a copy of which shall be furnished the Committee on Finance and a copy to the president of the Convention, who will strictly enforce the penalties as prescribed in the foregoing resolution.

The resolutions were laid on the table.

Mr. Cazabat called the attention of the Convention to the fact that the resolution of Mr. Mendiwerri, in regard to the statement showing the receipts and expenditures of the State treasury under the administration of Gen. G. F. Shepley, late military governor of the State, was adopted against the rule requiring all orders and resolutions to lie over one day before being acted upon by the Convention.

He therefore moved a reconsideration of the vote by which that resolution was adopted.

Mr. Cazabat having stated, in answer to a question by the president, that he voted against the resolution, he was declared out of order.

The president stated that he believed the resolution was properly adopted.

On motion of Mr. Shaw, the Convention adjourned until 12 o'clock m. on Friday, the 22d inst.

Approved.

JOHN E. NEELIS,
Secretary.

FRIDAY, April 22, 1864.

At 12 o'clock m., the Convention was called to order by the president, and after prayer by the Rev. Mr. Jones, the secretary called the roll and the following gentlemen answered to their names :

Messrs. Abell, Atrial, Balch, Barrett, Baum, Bell, Bofill, Bonzano, Buckley, Burke, Campbell, Cazabat, Cook J. K., Crozat, Cutler, Davies, Dufresne, Duane, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiwerri, Millsbaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Wenck, Wells, Wilson, and Mr. President—76.

A quorum being present, the minutes of

the preceding day were read, and the reading of the names of members, resolutions, the order of the day, and reports of committees, being dispensed with, the minutes were adopted.

Mr. Terry presented the following resolution to lie over :

Resolved, That no person is eligible for State or municipal office who has not the qualifications required in a voter for members of this Convention ; and if there are any persons holding office under the State or municipal authorities not so qualified, they shall be promptly removed.

Mr. Gorlinski offered the following, which was also laid over :

Resolved, That the following be adopted as an additional standing rule of this Convention :

Rule 56.—It shall be in order for any member to propose, without previous notice, any amendment or substitute for an original proposition, which may be under consideration, provided the same does not conflict with Rule 25.

Mr. Abell offered the following :

Resolved, That the report of the several Committees on Amendments be printed and required to lie over at least two days.

Resolution seconded.

The rules were, upon Mr. Montamat's motion, suspended, and it was immediately adopted.

Messrs. Bonzano and Fosdick, chairmen of Committees on Emancipation and Legislative Department, reported progress.

Mr. Fish, chairman of Committee on Executive Department, announced that there was no report.

Mr. Howell, chairman of Committee on Judiciary Department, reported progress.

Mr. Foley, at the request of Mr. Mann, chairman of Committee on General Provisions, read the following :

Mr. President—Your Committee upon General Provisions begs leave to make the following report :

Article 1. Members of the General Assembly and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation :

"I (A B) do solemnly swear (or affirm) that I will support the constitution and laws of the United States and of this State, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as ———, according to the best of my abilities and understanding, so help me God!"

Art. 2. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

Art. 3. The Legislature shall have power to declare the punishment of treason ; but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

Art. 4. Every person shall be disqualified from holding any office of trust or profit in this State, and shall be excluded from the right of suffrage, who shall have been convicted of treason, perjury, forgery, bribery, or other crimes or misdemeanors.

Art. 5. All penalties shall be proportioned to the nature of the offence.

Art. 6. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Art. 7. No money shall be drawn from the treasury but in pursuance of specific appropriation made by law, nor shall any appropriation of money be made for a longer term than two years. A regular statement and account of the receipts and expenditures of all moneys shall be published annually, in such a manner as shall be prescribed by law.

Art. 8. It shall be the duty of the General Assembly to pass such laws as may be proper and necessary to decide differences of arbitration.

Art. 9. All civil officers for the State at large shall reside within the State, and all district or parish officers within their districts or parishes, and shall keep their offices at such places therein as may be required by law.

Art. 10. All civil officers, except the governor and judges of the Supreme and Inferior Courts, shall be removable by an address of two-thirds of the members of both Houses, except those the removal of whom has been otherwise provided for by this constitution.

Art. 11. In all elections by the people, the vote shall be taken by ballot, and in all elections by the Senate and House of Representatives, jointly or separately, the vote shall be given *viva voce*.

Art. 12. No member of Congress, nor person holding or exercising any office of trust or profit under the United States, or either of them, or any foreign power, shall be eligible as a member of the General Assembly, or hold or exercise any office of trust or profit under the State.

Art. 13. None but citizens of the United States shall be appointed to any office of

trust or profit, or be employed on the *public works* in this State, providing the same be paid from the public funds, except the compensation is less than nine hundred dollars (\$900) per annum.

Art. 14. The laws, public records, and the judicial and legislative written proceedings of the State, shall be promulgated, preserved and conducted in the language in which the constitution of the United States is written.

Art. 15. That no power of suspending the laws shall be exercised, unless by authority of the Legislature.

Art. 16. Prosecutions shall be by indictment or information. The accused shall have a speedy public trial, by an impartial jury of the parish in which the offence shall have been committed. He shall not be compelled to give evidence against himself; he shall have the right of being heard, by himself or counsel; he shall have the right of meeting the witnesses face to face, and shall have compulsory process for obtaining witnesses in his favor; he shall not be twice put in jeopardy for the same offence.

Art. 17. All persons shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident, or the presumption great, and the privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Art. 18. Excessive bail shall not be required; excessive fines shall not be imposed; nor cruel and unusual punishments inflicted.

Art. 19. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Art. 20. No *ex post facto* law, nor any law impairing the obligations of contracts, shall be passed, nor vested rights be divested, unless for purposes of public utility, and for adequate compensation previously made.

Art. 21. That all courts shall be open, and any person, for any injury done him, in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without denial or unreasonable delay.

Art. 22. The press shall be free. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for an abuse of this liberty.

Art. 23. The Legislature shall have power to grant aid to companies or associations of individuals, formed for the exclusive purpose of making works of internal improvement, wholly or partially within the State,

to the extent only of one-fifth of the capital of such companies, by subscription of stock or loan in money or public bonds; but any aid thus granted shall be paid to the company only in the same proportion as the remainder of the capital shall be actually paid in by the stockholders of the company; and, in case of loan, such adequate security shall be required as to the Legislature may seem proper. No corporation or individual association receiving the aid of the State, as herein provided, shall possess banking or discounting obligations.

Art. 24. No liability shall be contracted by the State, as above mentioned, unless the same be authorized by some law for some single object or work, to be distinctly specified therein, which shall be passed by a majority of the members elected to both Houses of the General Assembly, and the aggregate amount of debts and liabilities incurred under this and the preceding article shall never, at any one time, exceed eight millions of dollars.

Art. 25. Whenever the Legislature shall contract a debt exceeding in amount the sum of one hundred thousand dollars, unless in case of war, to repel invasion or suppress insurrection, they shall, in the law creating the debt, provide adequate ways and means for the payment of the current interest and of the principal when the same shall become due. And the said law shall be irrevocable until the principal and interest are fully paid and discharged, or unless the repealing law contains some other adequate provision for the payment of the principal and interest of the debt.

Art. 26. The Legislature shall provide by law for all change of venue in civil and criminal cases.

Art. 27. No lottery shall be authorized by this State, and the buying and selling of lottery tickets within the State is prohibited.

Art. 28. No divorce shall be granted by the Legislature.

Art. 29. Every law enacted by the Legislature shall embrace but one object, and that shall be expressed in the title.

Art. 30. No law shall be revived or amended by reference to its title; but in such case the act revived, or section amended, shall be re-enacted and published at length.

Art. 31. The Legislature shall never adopt any system or code of laws by general reference to such system or code of laws, but in all cases shall specify the several provisions of the law it may enact.

Art. 32. Corporations, with discounting privileges, may be either created by special acts or framed under general laws. But no corporation or individual shall have the privilege of issuing notes or bills except those which are already chartered.

Art. 33. In case of the insolvency of any

bank or banking association, the bill holders thereof shall be entitled to preference in payment over all other creditors of such bank or association.

Art. 34. No person shall hold or exercise, at the same time, more than one civil office of trust or profit, except that of justice of the peace.

Art. 35. Taxation shall be equal and uniform throughout the State. All property on which taxes may be levied in this State, shall be taxed in proportion to its value, to be ascertained as directed by law. No one species of property shall be taxed higher than another species of property of equal value, on which taxes shall be levied. The Legislature shall have power to levy an income tax, and to tax all persons pursuing any occupation, trade or profession.

Art. 36. The citizens of the city of New Orleans shall have the right of appointing the several public officers necessary for the administration of police of the said city, pursuant to the mode of election which shall be prescribed by the Legislature; Provided, That the mayor and recorders shall be ineligible to a seat in the General Assembly, and the mayor and recorders shall be commissioned by the governor as justices of the peace, and the Legislature may vest in them such criminal jurisdiction as may be necessary for the punishment of minor crimes and offences.

Art. 37. The Legislature may provide by law in what case officers shall continue to perform the duties of their offices until their successors shall have been inducted into office.

Art. 38. The Legislature shall have power to extend this constitution and the jurisdiction of this State over any territory acquired by compact with any State, or with the United States, the same being done by consent of the United States.

Art. 39. None of the lands granted by Congress to the State of Louisiana for aiding in constructing the necessary levees and drains, to reclaim the swamp and overflowed lands in the State, shall be diverted from the purposes for which they were granted.

Art. 40. The Legislature shall pass no law excluding citizens of this State from office for not being conversant with any language except that in which the constitution of the United States is written.

Respectfully submitted,

W. D. MANN, Chairman.

ERNEST WENCK,

JOHN FOLEY,

J. K. COOK,

JOHN BUCKLEY, JR.,

GEO. GEIER,

H. MAAS.

Mr. Narnan moved the report of the committee be adopted, and made the spe-

cial order of the day for Thursday next.

Motion seconded and carried, the resolution of Mr. Abell in regard to lying over being in the meantime read for the benefit of the Convention.

Mr. Hills, chairman of the Committee on Public Education, read their report.

To the president and members of the Convention for the revision and amendment of the Constitution of Louisiana:

The undersigned, members of the Committee on Public Education, have the honor to submit the following

REPORT.

Article —. There shall be elected a superintendent of Public Education, who shall hold his office for the term of two years. His duties shall be prescribed by law, and he shall receive such compensation as the Legislature may direct; Provided, That the General Assembly shall have power, by a vote of the majority of the members elected to both Houses, to abolish the said office of superintendent of Public Education whenever, in their opinion, said office shall be no longer necessary.

Art. —. The General Assembly shall establish free public schools throughout the State for all children, and shall provide for their support by general taxation on property, or otherwise; and all moneys so raised or provided, shall be distributed to each parish in proportion to the number of children between such ages as shall be fixed by the General Assembly; but all schools for colored children shall be separate and distinct from schools for white children.

Art. —. In order to promote the more extensive diffusion of knowledge, the General Assembly shall make annual appropriation for the encouragement of private schools throughout the State, but the General Assembly shall not be required to make such appropriation for private schools in the parish of Orleans that do not number two hundred pupils, and in other parishes the General Assembly shall determine what private schools are sufficiently large to deserve such appropriations.

Art. —. The English language only shall be taught in the common schools in this State.

Art. —. An university shall be established in the city of New Orleans. It shall be composed of four faculties, to-wit: one of law, one of medicine, one of the natural sciences and one of letters. The Legislature shall provide by law for its organization, but shall be under no obligation to contribute to the establishment or support of said university by appropriations.

Art. —. The proceeds of all lands heretofore granted by the United States to this State for the use or support of schools, and

of all lands which may hereafter be granted or bequeathed for any other purpose, which hereafter may be disposed of by the State, and the proceeds of the estates of deceased persons to which the State may become entitled by law, shall be held by the State as a loan, and shall be and remain a perpetual fund on which the State shall pay an annual interest of six per cent., which interest together with the interest of the Trust Funds, deposited with this State by the United States, under the act of Congress approved June 23, 1836, and all the rents of the unsold lands shall be appropriated to the support of such schools, and this appropriation shall remain inviolable.

Art. —. All moneys arising from the sales which have been, or may hereafter be made of any lands heretofore granted by the United States to this State for the use of a seminary of learning, and from any kind of donation that may hereafter be made for that purpose, shall be and remain a perpetual fund, the interest of which, at six per cent. per annum, shall be appropriated to the support of a seminary of learning for the promotion of literature, and the arts and sciences, and no law shall ever be made diverting said fund to any other use than to the establishment and improvement of said seminary of learning, and the General Assembly shall have power to raise funds for the organization and support of said seminary of learning in such manner as it may deem proper.

ALFRED C. HILLS, Chairman.
M. W. MURPHY,
X. MAURER,
RANDALL TERRY,
T. M. WELLS,
GEORGE HOWES.

Edward Hart signs the above, intending to offer an amendment to the third clause.

H. C. Edwards signs, dissenting entirely from third clause in said report.

I coincide with Mr. Edwards.

YOUNG BURKE.

Mr. Montamat moved it be the special order of the day for Tuesday next.

Mr. Hart, of the Committee on Education, gave notice that he should offer the following amendment:

In order to promote the more extensive diffusion of knowledge, it shall be the duty of the General Assembly to make annual appropriations for the encouragement of all private schools throughout the State, which are, or may hereafter be, incorporated by legislative enactments.

Mr. Balch stated that, though a member of the committee, he was, through indisposition, unable to attend its meeting, and moved that the consideration of the report

should be postponed until Saturday, 30th inst., as he intended to discuss several provisions.

Motion seconded and carried.

Mr. Stocker said he thought he rose in time to object to the adoption of the amendment, as he understood that amendments must be offered at the same time with the report, but was informed that Mr. Hart's amendment was in fact a minority report.

Mr. Cutler, chairman of Committee on Mode of Revising the Constitution, reported progress.

No report of Committee on Schedule.

Mr. Shaw, chairman of Committee on Ordinances, reported progress. The same was stated of the Committee on Enrollment.

The Committee on Finance had no report to make, nor had the Committee on Printing.

The Committee on Expenses, through their chairman, Mr. S. Pursell, reported progress.

The Committee on Federal Relations had agreed upon no report.

Mr. Howell, as chairman of Committee on the Judiciary Department, submitted the following:

To the president and members of the Convention to revise and amend the Constitution of the State of Louisiana:

The Committee of Judiciary Department beg leave to report the following articles, and recommend their adoption as a portion of the constitution of this State on the subject of Judiciary, to-wit:

TITLE IV—JUDICIARY DEPARTMENT.

Article 1. The Judiciary power shall be vested in a Supreme Court, in such inferior courts as the Legislature may, from time to time, order and establish, and in justices of the peace.

Art. 2. The Supreme Court, except in cases hereinafter provided, shall have appellate jurisdiction only; which jurisdiction shall extend to all cases when the matter in dispute shall exceed three hundred dollars; to all cases in which the constitutionality or legality of any tax, toll or impost whatsoever, or of any fine, forfeiture or penalty imposed by a municipal corporation, shall be in contestation; and to all criminal cases on questions of law alone whenever the offence charged is punishable with death or imprisonment at hard labor, or when a fine exceeding three hundred dollars is actually imposed.

Art. 3. The Supreme Court shall be com-

posed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The chief justice shall receive a salary of ten thousand dollars, and each of the associate justices a salary of nine thousand dollars, annually, until otherwise provided by law. The court shall appoint its own clerks.

Art. 4. The Supreme Court shall hold its sessions in New Orleans from the first Monday of the month of November to the end of the month of June inclusive. The Legislature shall have power to fix the sessions elsewhere during the rest of the year; until otherwise provided, the session shall be held as heretofore.

Art. 5. The Supreme Court and each of the judges thereof shall have power to issue writs of *habeas corpus*, at the instance of all persons in actual custody under process, in all cases in which they may have appellate jurisdiction.

Art. 6. No judgment shall be rendered by the Supreme Court without the concurrence of a majority of the judges comprising the court. Whenever the majority cannot agree, in consequence of the recusation of any member or members of the court, the judges not recused shall have power to call upon any judge or judges of the inferior courts, whose duty it shall be, when so called upon, to sit in the place of the judge or judges recused, and to aid in determining the case.

Art. 7. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be "the State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the State of Louisiana, and conclude against the peace and dignity of the same.

Art. 8. The judges of all courts within the State shall, as often as it may be possible so to do, in every definitive judgment refer to the particular law in virtue of which such judgment may be rendered, and in all cases adduce the reasons on which their judgment is founded.

Art. 9. The judges of all courts shall be liable to impeachment; but for any reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any of them, on the address of three-fourths of the members present of each House of the General Assembly. In every such case the cause or causes for which such removal may be required shall be stated at length in the address, and inserted in the journal of each House.

Art. 10. The judges, both of the Supreme and Inferior Courts shall, at stated times, receive a salary which shall not be diminished during their continuance in office; and they are prohibited from receiving any fees of office, or other compensation than

their salaries for any civil duties performed by them.

Art. 11. The judges, both of the Supreme and Inferior Courts, shall be appointed by the governor by and with the advice and consent of the Senate, and they shall hold their offices during good behavior.

Art. 12. The clerks of the Superior Courts shall be appointed by the judges thereof, and they shall hold their offices during good behavior, subject to removal by the judges respectively, with the right of appeal in all such cases to the Supreme Court.

Art. 13. The Legislature shall have power to vest in clerks of courts authority—to grant such orders and do such acts as may be deemed necessary for the furtherance of the administration of justice, and in all cases the power thus granted shall be specified and determined.

Art. 14. The jurisdiction of justices of the peace shall not exceed, in civil cases, the sum of one hundred dollars, exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall be appointed by the governor, with the advice and consent of the Senate, and shall hold their offices during good behavior. They shall have such criminal jurisdiction as shall be provided by law.

Art. 15. There shall be an attorney general for the State, and as many district attorneys as may be hereafter found necessary. They shall be appointed by the governor, with the advice and consent of the Senate, and shall hold their offices during the term for which the governor shall have been elected. Their duties shall be determined by law.

Art. 16. A sheriff and a coroner shall be appointed in each parish, by the governor, with the advice and consent of the Senate, and they shall hold their offices for the term for which the governor shall have been elected, unless sooner removed. The Legislature shall have power to increase the number of sheriffs in any parish.

All of which is respectfully submitted.

R. K. HOWELL, Chairman.
H. J. HEARD,
R. KING CUTLER,
JOHN HENDERSON, JR.,
R. BEAUVAIS,
WM. H. SEYMOUR,
JAMES FULLER.

Mr. Harnan's motion that it be made the order of the day for Friday, the 29th, was carried.

Mr. Sullivan offered an amendment, but, not being a member of the committee, was informed that he could do so only when the matter came up for discussion.

Messrs. Montamat and Wilson, as chair-

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men of Committees on Credentials and Assault of Members, reported progress.

Mr. Stocker, as chairman of Committee in Relation to Absent Members, stated that they had diligently tried to make a report, but had not received such information as would justify them in reporting.

Mr. M. W. Murphy, as chairman of Committee on Compensation, presented the following, viz :

Mr. President—Your committee, appointed to fix the compensation of the officers and employes of this Convention, beg leave to present the following, viz :

President of the Convention.	\$20 per day.
John E. Neelis, secretary.	15 ..
S. G. Hamilton, assistant secretary.	10 ..
Thomas H. Murphy, assistant secretary.	10 ..
M. DeCoursey, sergeant-at-arms.	15 ..
Two assistant sergeants-at-arms.	6 ..
Two messengers, each.	5 ..
One postmaster.	8 ..
One doorkeeper.	8 ..
Chief reporter.	12 ..
Three assistant reporters, each.	10 ..
One warrant clerk.	10 ..
Enrolling clerks, each.	6 ..

The mileage of each member from the country parishes, twenty cents per mile, going and coming.

All compensation to officers and employes shall commence from the date of their election or appointment.

All of which is respectfully submitted.

M. W. MURPHY, Chairman.
W. D. MANN,
J. RANDALL TERRY,
JAMES ENNIS.

Mr. Fosdick presented the following minority report :

To the president and members of the Convention :

The undersigned, one of the committee appointed to fix the compensation of the officers and employes of the Convention, begs leave to submit the following report that they shall receive as follows :

Secretary.	\$15 per day.
Assistant secretaries, each.	10 ..
Sergeant-at-arms.	10 ..
Two Assistant sergeants-at-arms, each.	6 ..
Two messengers, each.	3 ..
One postmaster.	5 ..
One door-keeper.	5 ..
One reporter.	8 ..
Three assistant reporters, each.	8 ..

One warrant clerk.	\$6 per day.
Enrolling clerk, each.	6 ..
Translating clerks, each.	8 ..

The mileage of each member from the country parishes, 20 cents per mile, coming from and returning to—. All compensation to officers and employes to commence from the date of their election or appointment.

All of which is respectfully submitted.

GEORGE A. FOSDICK.

Mr. Hills moved to make it the special order of Saturday, the 23d inst. Seconded.

Mr. Bell rose to a point of order in regard to reports lying over two days, and was informed by the chair that that resolution referred only to reports of standing committees.

M. Hills's motion having been seconded was carried.

Mr. Edwards's resolution to print 200 copies of the Judiciary Report, was decided out of order.

Communications were read from the secretary of state announcing the election of new members Messrs. Duke and Collins, from Ascension.

On motion of Mr. Gastinel, the communications were referred to the Committee on Credentials.

Unfinished business was next in order.

The following (Mr. Gorlinski's resolution) was read :

Whereas, On the evacuation of Baton Rouge, after the ever-memorable battle of the 5th day of August, 1862, Colonel Payne, of the Fourth Wisconsin volunteers, then commanding the post of Baton Rouge, crowned his heroic deeds of that day by an act which has secured to the use of this Convention and the State, a valuable public library, together with Thorpe's great painting of General Zachary Taylor, and other paintings, which now adorn the hall of this Convention, and also saved Hiram Powers's statue of Washington, which is said now to be in the Patent Office at the national Capitol—all of which would have been stolen, or destroyed by fire which demolished the State House, had not Colonel Payne caused the same to be removed to this city, when, by order of General Butler, they were protected as the property of the State; therefore, be it

Resolved, That the thanks of this Convention and of the people of Louisiana are due and are hereby tendered to Major General B. F. Butler and Colonel Payne for saving the above mentioned valuable State property.

Resolved, further, That the governor be and is hereby requested to correspond with the authorities at Washington, and make suitable arrangements for the return and reception of the above mentioned statue of Washington and its future disposition in this State.

Resolution seconded, as was Mr. Sullivan's motion to lay on the table, which prevailed.

Mr. Goldman's call for the yeas and nays was not responded to.

Mr. Campbell's resolution was ordered to be read by the chair :

Whereas, The United States bounty paid to soldiers enlisting in the army, cannot be paid to men enlisting in the First and Second regiments of New Orleans volunteers, now being raised under Cols. Killborn and Brown, because of their being organized for a specific purpose—that of the city defence alone—and wishing to aid in filling the same,

Resolved, That the sum of — dollars be and the same is hereby appropriated by the State, to pay a bounty to each man who may hereafter enlist in the First and Second regiments of New Orleans volunteers, and that the governor is hereby authorized to carry the same into effect according to his best judgment.

Mr. Montamat moved to refer it to the next Legislature.

A motion to lay it on the table was carried.

Mr. Harnan's motion to adjourn was lost.

Mr. Schroeder offered the following, to lie over until to-morrow.

Resolved, That the resolution adopted on Friday, April 15, 1864, in the following words, to-wit :

Resolved, That the members of the Convention shall receive from the public treasury a compensation for their services, which shall be ten dollars per diem, during their attendance on, going to and returning from the sessions of this Convention, be and the same is hereby rescinded.

Resolved, That the compensation for the services of the members of this Convention shall be referred to a special committee.

Mr. Stocker remarked that a resolution to the same effect was offered and acted upon yesterday, and wished to know if this was properly presented, to which the president replied that the Convention could pass a resolution one day and rescind it the next ; but that in any event, it would probably administer a proper rebuke to any member who unnecessarily delayed business.

Upon motion of Mr. Kavanagh, the Convention adjourned until 12 o'clock Saturday, the 23d inst.

Approved April 23d, 1864.

JOHN E. NEELIS,
Secretary.

SATURDAY, April 23, 1864.

The Convention met at 12 o'clock, m., pursuant to adjournment, and after prayer by the Rev. Mr. Thomas, the secretary called the roll and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Beauvais, Bell, Bofill, Bonzano, Buckley, Burke, Campbell, Cazabat, Collin, Cook J. K., Cook T., Davies, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendi-verri, Millsbaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Terry, Thomas, Thorpe, Wells, Wilson—76 members present.

A quorum being present the secretary then proceeded to the minutes of the preceding day.

Mr. Hills moved that the reading of resolutions and reports of committees in the minutes be dispensed with, unless the minutes were amended and adopted.

Mr. S. Pursell offered the following, hoping it would not be disposed of in a summary manner, but be considered on its merits :

Resolved, That the following be offered as a substitute for Art. 35 of the report of the Committee on General Provisions, and that it be made the order of the day and taken up with said report :

Art. —. Taxation shall be equal and uniform throughout the State. All property shall be taxed in proportion to its value, to be ascertained as directed by law. The General Assembly shall have power to exempt from taxation property actually used for church, school or charitable purposes. The General Assembly shall levy an income tax upon all persons pursuing any profession, occupation, trade or calling, and all such persons shall obtain a license as provided by law. All tax on income shall be *pro rata* on the amount of income or business done.

Declared out of order.

Mr. Austin offered the following :

Resolved, That the report of the committee appointed to fix the compensation of the officers and employes of this Convention be and is hereby amended so as to make the compensation of enrolling clerks eight dollars per day, and that the officers and employes be entitled to their compensation from the first day's sitting of this Convention.

Mr. Hills moved a suspension of the rules to adopt the following :

Resolved, That in reading the minutes of this Convention the secretary shall dispense with the reading of all roll-calls, giving simply the results, all resolutions that lie over under the rules, and all that were laid on the table, and all printed reports, unless otherwise directed by the Convention.

A motion to suspend the rules in order to adopt the resolution was carried, and the resolution adopted immediately thereafter upon Mr. Hills's motion.

Mr. Abell offered the following :

Resolved, That when a report of a standing committee is taken up it shall be considered section by section (*seriatim*) and that no section shall be finally adopted until it has undergone three readings on separate days.

Mr. Fuller presented the following :

Resolved, That one day's notice shall be given of any amendment or substitute to be proposed to the report of any of the standing committees.

Mr. Foley offered a resolution :

Resolved, That the secretary be directed to cause the various reports of the committees of the Convention to be printed in such form as will admit of amendments therein ; and that the secretary be directed to cause the same to be printed without delay by the printer of this Convention.

Mr. Foley moved to suspend the rules in order to adopt the resolution immediately.

Motion carried, and resolution unanimously adopted thereupon.

Reports of standing committees were called up.

No report of Emancipation Committee.

Mr. Fosdick, as member of Committee on Legislative Department, reported progress, as did the Executive Department Committee.

Mr. Cutler, as chairman of Committee on Mode of Revising the Constitution, submitted the following :

To the president and members of the State Constitutional Convention :

Your committee, to whom was referred the "mode of revising the constitution," beg leave to submit the following report, and recommend the adoption of the following instead of article 141 of the constitution of 1852 :

Art.—Any amendment or amendments to this constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each house, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon. Such proposed amendment or amendments shall be submitted to the people at an election to be ordered by said Legislature, and held within ninety days after the adjournment of the same, and after thirty days' publications according to law ; and if a majority of the voters at said election shall approve and ratify such amendment or amendments, the same shall become a part of the constitution. If more than one amendment be submitted at a time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately.

Respectfully submitted.

R. KING CUTLER, Chairman.

E. A. KNOBLOCH,

JOS. G. BAUM,

J. H. STINER,

PATRICK HARNAN.

The motion that the report be received, 200 copies printed, and be made the order of the day for May 3, was amended, by Mr. Hills to Tuesday next, and carried as amended.

Messrs. Gruneberg and Shaw, as chairmen of Committees on Schedule and Ordinance, reported progress.

No report was offered from either the Committee on Enrollment or that on Finance.

Mr. S. Pursell, chairman of Committee on Expenses, reported progress, as did Mr. J. Purcell, chairman of Committee on Printing.

No report was received from the Committee on Federal Relations.

Neither the Special Committee or the Committee on Credentials made any report.

The Committee on Assault of Members reported progress.

Mr. Stocker, chairman of Committee in relation to Absent Members, stated that the committee were not then prepared to make such a report as would be satisfactory.

The secretary read a communication from the secretary of state, in relation to Mr. T. J. Decker, returned from the parish of Plaquemines.

On motion of Mr. Hills, the matter was referred to the Committee on Credentials.

Unfinished business was next in order.

Mr. Terry called for the reading of the following :

Resolved, That no person is eligible for State or municipal office who has not the qualifications required in a voter for members of this Convention ; and if there are any persons holding office under the State or municipal authorities not so qualified, they shall be promptly removed.

The motion to lay upon the table was seconded, but negatived by a rising vote of 7 to 37.

The yeas and nays were then called with the following result :

YEAS—Messrs. Ariail, Austin, Cutler, Flagg, Henderson, Maas, Mann, Newell, Payne J., Seymour, Wells—11.

NAYS—Messrs. Abell, Bailey, Baum, Barrett, Beauvais, Bell, Bofill, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Davies, Dufresne, Duane, Dupaty, Edwards, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Goldman, Gruneberg, Gaidry, Healy, Harnan, Hart, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Pintado, Poynot, Purcell J., Pursell S., Schroeder, Shaw, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wenck, Wilson, Collin, Duke—68.

After a lengthy discussion, in which several members participated, the question was put on the adoption of the original resolution. The yeas and nays being called for, the vote was taken, with the following result :

YEAS—Messrs. Bailey, Baum, Campbell, Flagg, Flood, Foley, Fosdick, Gastinel, Harnan, Healy, Hills, Howes, Murphy E., Murphy M. W., Sullivan, Terry, Thorpe, Wilson—18.

NAYS—Messrs. Abell, Ariail, Austin, Barrett, Balch, Beauvais, Bell, Bofill, Buckley, Burke, Cazabat, Cook J. K., Cook T., Collin, Crozat, Cutler, Davies, Dufresne, Duane, Dupaty, Duke, Edwards, Ennis, Fish, Fuller, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Hart, Heard, Henderson, Hire, Howell, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Newell, Normand,

O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Thomas, Wenck, Wells—68.

Resolution was accordingly lost.

It being 1 o'clock P. M., Mr. Stocker called for the order of the day. Mr. Montamat called for the resolution of Mr. Gaidry. Mr. Stocker submitted to the president the question whether his motion should not take precedence.

The president decided that Mr. Gaidry's resolution was "unfinished business," and as such must take precedence.

Mr. Montamat called for the reading of Mr. Gaidry's resolution, which was the following :

Whereas, All the constitutions ever framed in this State have decreed that all judicial and legislative proceedings should take place in the French and English languages ;

And whereas, Several members of this Convention, who are true republicans and loyal to the core, but are not very familiar with the English language, have been delegated to this Convention by constituents who are also unacquainted with the said language—which right to choose delegates as they pleased said constituents possessed, as they are the sovereign people, and that to deny such supreme right would be tantamount to disfranchise said people ;

Resolved, That all resolutions and motions to be presented in this Convention be translated into the French language, so that the members from the several parishes, who are not familiar with the English language, be fully aware of what they are voting upon.

Mr. Henderson's motion to lay on the table was carried.

The special order of the day, viz : the report of the Special Committee on Compensation of Officers and Employés of the Convention, was then taken up.

Mr. Hills moved to strike out that part of the report fixing the compensation of the president, which was seconded by Mr. Goldman.

Mr. Montamat amended to fifteen dollars.

Mr. Goldman moved to table.

Mr. Terry amended, "subject to call." Rejected, and motion carried.

Mr. Henderson moved to lay Mr. Hills's motion on the table, and that gentleman called for the yeas and nays, when the following was the result :

YEAS—Messrs. Abell, Austin, Barrett,

Beauvais, Bell, Burke, Campbell, Cook T., Crozat, Cutler, Ennis, Fish, Fuller, Geier, Goldman, Heard, Henderson, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Murphy M. W., O'Conner, Payne J., Purcell J., Shaw, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Thomas—36.

YEAS—Messrs. Ariail, Bailey, Baum, Balch, Bofill, Buckley, Cook J. K., Collin, Davies, Duane, Dupaty, Duke, Edwards, Flagg, Flood, Foley, Fosdick, Gaidry, Gastinel, Gorlinski, Gruneberg, Healy, Harnan, Hart, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Millspaugh, Morris, Montague, Murphy E., Newell, Normand, Ong, Pintado, Poynot, Schroeder, Seymour, Smith, Spellicy, Stauffer, Wenck, Wells—46.

Motion to lay on the table lost.

On the vote being taken to strike out, a division was called for, with the result of 39 yeas to 31 nays.

Mr. Stocker called for the yeas and nays on the roll.

They were called with the following result:

YEAS—Messrs. Ariail, Bailey, Baum, Beauvais, Bofill, Buckley, Burke, Campbell, Cook J. K., Collin, Duane, Dufresne, Duke, Flagg, Fosdick, Foley, Gastinel, Gaidry, Goldman, Gruneberg, Harnan, Hart, Hills, Howell, Howes, Kavanagh, Maas, Maurer, Mendiverri, Millspaugh, Morris E., Newell, Normand, Ong, Pintado, Poynot, Purcell S., Seymour, Smith, Stumpf, Stauffer, Sullivan, Wenck, Wells—46.

NAYS—Messrs. Abell, Austin, Barrètt, Bell, Cazabat, Cook T., Crozat, Cutler, Davies, Dupaty, Edwards, Ennis, Fish, Flood, Fuller, Geier, Gorlinski, Healy, Heard, Henderson, Hire, Knobloch, Kugler, Mann, Montamat, Montague, Murphy M. W., O'Conner, Spellicy, Stocker, Stiner, Terry, Thorpe, Thomas, Wilson—34.

Motion to strike out carried.

COMPENSATION OF SECRETARY.

Mr. Montague moved to increase to twenty. Seconded.

Mr. Montamat's motion to table it was carried.

Report was adopted.

ASSISTANT SECRETARIES' COMPENSATION.

Mr. Stocker's amendment to twelve-and-a-half was lost, and the report adopted in regard to compensation of both secretaries.

REPORT ON SERGEANT-AT-ARMS.

Mr. Fosdick's amendment to ten dollars a day was, upon Mr. Henderson's motion, tabled, and the report adopted.

Assistant sergeants-at-arms' compensation was taken up.

Mr. Healy's amendment to ten dollars a day was, upon Mr. Montamat's motion, tabled, by a rising vote of 51 yeas to 26 nays.

The same disposition of Mr. Foley's amendment to eight dollars a day, upon motion of the same party, was made.

The report was then adopted.

MESSENGER'S COMPENSATION.

Mr. Fosdick's amendment to three dollars was, upon Mr. Henderson's motion, tabled, as was Mr. Healy's amendment to six dollars, upon Mr. Goldman's motion.

Report adopted.

POSTMASTER'S COMPENSATION.

Mr. Fosdick's amendment to five dollars a day was tabled and report adopted.

BOOK-KEEPER'S COMPENSATION.

Report adopted.

CHIEF REPORTER'S COMPENSATION.

Mr. Stocker's amendment to fifteen dollars a day adopted, and then the report as amended.

ASSISTANT REPORTERS' COMPENSATION.

Report adopted.

WARRANT CLERK'S COMPENSATION.

Report adopted.

The report on compensation of enrolling clerks and mileage was adopted.

M. Stocker moved that the compensation of officers commence on the 6th April. Carried.

The entire report, as amended, was then adopted.

Mr. Montamat moved that translating clerks be employed at a salary of \$10 per day. Lost.

The report, as amended, reads as follows:

John E. Neelis, secretary.....	\$15 00 ..
Assistant secretaries.....	10 00 ..
Sergeant-at-arms.....	15 00 ..
Assistant sergeants-at-arms.....	6 00 ..
Two messengers, each.....	5 00 ..
Postmaster.....	8 00 ..
Doorkeeper.....	8 00 ..
Chief reporter.....	15 00 ..
Three assistant reporters, each.....	10 00 ..
Warrant clerk.....	10 00 ..
Enrolling clerks, each.....	6 00 ..

On motion of Mr. Montague, the Convention adjourned until Monday at 12 o'clock M.

Approved.

JOHN E. NEELIS,
Secretary.

MONDAY, April 25th, 1864.

The Convention met pursuant to adjournment, at 12 o'clock M., Hon. E. H. Durell presiding, and after prayer by the Rev. Mr. Hopkins, the secretary called the roll, and the following gentlemen answered to their names:

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Baum, Bennie, Bofill, Bonzano, Bromley, Burke, Campbell, Cook T., Crozat, Cutler, Duke, Davies, Dufresne, Duane, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Millsaugh, Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wells, Wilson and Mr. President—78, members present.

The secretary then proceeded to read the minutes of last day's proceedings which, after being corrected, were adopted.

Mr. Goldman rose to a question of privilege, but was ruled out of order. He then moved to adjourn till to-morrow, to go into committee of whole to wait on Admiral Farragut, to-morrow being the anniversary of the recapture of New Orleans by the Federal troops.

On motion of Mr. Montamat it was laid on the table.

There being no petitions or memorials, resolutions were declared in order.

Mr. Crozat wished to consider his vote taken on the amendment of Mr. Hills, in regard to the compensation of the president of the Convention.

Mr. Montamat seconded.

Mr. Foley amended to reconsider the vote on the whole resolution to strike out the compensation of the president. Seconded.

Mr. Goldman's motion to lay it on the table was declared lost, and a division called for, with the following result: nays 63, yeas 5.

The motion to reconsider was then put and carried.

Mr. Montamat moved the adoption of the report as presented.

Mr. Goldman moved to lay it on the table. Lost.

The motion to adopt the report was then put, and a division called for.

Mr. Hills called for the yeas and nays, and the secretary read the roll with the following result:

YEAS—Messrs. Abell, Austin, Bailey, Barrett, Beauvais, Bell, Bennis, Bofill, Burke, Cazabat, Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Ennis, Fish, Fuller, Gaidry, Heard, Henderson, Hire, Kugler, Maas, Mann, Maurer, Mendiwerri, Montamat, Montague, Murphy M. W., O'Conner, Payne J., Pintado, Purcell J., Pursell S., Shaw, Smith, Stocker, Stiner, Terry, Thorpe, Thomas, Wilson—44.

NAYS—Messrs. Ariail, Baum, Bonzano, Bromley, Collin, Campbell, Cook J. K., Duke, Dufresne, Edwards, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Healy, Harnan, Hart, Hills, Howes, Kavanagh, Knobloch, Millsaugh, Murphy E., Normand, Ong, Poynot, Schroeder, Seymour, Spellicy, Stumpf, Stauffer, Sullivan, Wells—38.

The report was adopted.

Mr. Kavanagh offered the following resolution:

Resolved, That the officers of the Police Department on duty at this hall shall receive the sum of four dollars per day for their services rendered as such.

Mr. Foley moved the rules be suspended for its adoption. Carried.

Mr. Thomas moved that they be allowed the same pay that they had received from the city.

Mr. Foley moved to lay it on the table. Carried.

Mr. Foley then moved the adoption of the original resolution, and it was carried by a vote of 46 yeas to 27 nays.

REPORTS OF STANDING COMMITTEES.

Chairman of Committee on Emancipation had no report.

Chairman of Committee on Legislative Department reported progress.

Mr. Fish, chairman of Committee on Executive Department, stated the committee had agreed to adopt the third article as it stood, without amendment.

Mr. Foley called for the reading of the article.

Mr. Goldman asked to be excused from the Convention on the ground that it was a holiday, and was requested by the chair to take his seat until the report was offered.

Mr. Fish then read the article in question.
Mr. J. Purcell moved the report be received.

Mr. Fosdick moved that the committee be requested to make their report in writing. Carried.

The chairman of Committee on Internal Improvement reported "progress."

The chairman of Committee on Schedule reported "progress."

The chairman of Committee on Ordinance reported "progress."

The Committee on Federal Relations submitted the following report:

To the president and members of the State Constitutional Convention:

The chairman of the committee entitled "Federal Relations," beg leave to submit the following report:

The constitution and laws of the United States shall be the supreme law of the land, anything in the constitution or laws of this State to the contrary notwithstanding.

(Signed) T. B. THORPE, Chairman,
JOHN HENDERSON, JR.,
R. V. MONTAGUE.

REPORTS OF SPECIAL COMMITTEES.

Mr. Montamat, chairman of Committee on Credentials submitted the following report:

NEW ORLEANS, April 15, 1864.

To the honorable the president and members of the Constitutional Convention:

Gentlemen—Your Committee on Credentials, having examined the returns of the elections from the parish of Plaquemines for one delegate to represent the said parish in the Convention, respectfully beg leave to report that Mr. Thomas J. Decker was duly elected, and he being duly qualified is entitled to a seat in this Convention.

Respectfully submitted.

JOHN T. MONTAGUE, *Chairman.*

Col. T. B. Thorpe, on behalf of the Committee on Enrollment, reports as duly elected the following gentlemen:

Messrs. Felix Lambert, chief clerk; Léon Laugrin, Elzear Cambray, translators.

Mr. Wilson moved the names be added to the report of the Committee on Compensation.

Mr. Hills amended to add the names to the roll of the employés of the Convention. Carried.

Mr. Maurer moved the compensation be referred to the Finance Committee, which

Mr. Hills amended to the Committee on Compensation. Carried.

Chairman of Committee on Expenses reported rapid progress.

Chairman of Committee on Printing had no report.

Chairman of Committee on Assault of Members stated they would be able to report to-morrow.

Chairman of Committee on Absent Members said they were not yet prepared to report.

Chairman of Committee on Statue of Washington had no report.

UNFINISHED BUSINESS.

Unfinished business was then declared in order.

Mr. Thomas called for the resolution offered by Mr. Fuller on Saturday, and it was read by the secretary.

Resolved, That one day's notice shall be given of any amendment or substitute to be proposed to the report of any of the standing committees.

Mr. Foley's motion to lay it on the table was seconded and carried, when a division was called for, and the resolution laid on the table by a vote of 49 yeas to 26 nays.

Mr. Abell's resolution was read.

Resolved, That when a report of a standing committee is taken up, it shall be considered section by section (*seriatim*), and that no section shall be finally adopted until it has undergone three readings on separate days.

Mr. Montamat moved its adoption, which was seconded and carried.

On motion of Mr. Kavanagh the Convention adjourned until 12 o'clock to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

TUESDAY, April 26th, 1864.

At 12 o'clock M. the Convention was called to order by the president, and after prayer by the Rev. Dr. Newman the secretary called the roll, and the following gentlemen answered to their names:

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Beauvais, Bell, Bonzano, Bromley, Brott, Buckley, Burke, Cazabat, Cook T., Collin, Crozat, Davies, Decker, Dupaty, Dufresne, Duane, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gasti-

nel, Galdry, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Healy, Heard, Henderson, Hills, Hire, Kavanagh, Knobloch, Kugler, Maas, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Murphy E., Murphy M. W., Newell, Normand, Ong, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Thomas, Wenck, Wells, Wilson—76 members present.

The secretary proceeded to read the minutes of yesterday's proceedings, which were amended and approved.

Mr. Edwards offered the following :

Whereas, Positive information has been received by members of this Convention that all kinds of depredations are daily committed in the parish of Avoyelles and other Western portions of Louisiana, within the Federal lines, by guerrillas and other bands of disorganized men ; that there is neither safety nor protection for the life and property of loyal citizens, who are driven away from their homes and families on account of their devotion to the sacred cause of the Union and liberty ; that no respect is shown by those bands of guerrillas to either age, sex or condition ; therefore, be it

Resolved, That the attention of the adjutant general of this State be called to the actual deplorable condition of affairs in the parish of Avoyelles, in order that proper and necessary means be put in force for the protection and safety of loyal citizens from the guerrillas' raids or attacks from the enemy.

Be it further resolved, That a committee of three be appointed by the president of this Convention to wait on the adjutant general of this State, and furnish him the necessary information in regard to this matter.

Mr. Cazabat moved a suspension of the rules, in order to put the resolution on its passage. Carried.

Mr. Hills's motion to lay the resolution on the table was carried.

Mr. Hills submitted the following :

Resolved, That the members of this Convention, not absent with leave, who do not answer to the first roll-call of the secretary, shall forfeit one-half their per diem allowance for every day of such absence.

A motion to suspend the rules for its adoption was lost, and the resolution was laid over until to-morrow.

REPORTS OF COMMITTEES.

Mr. Fish, chairman of the Committee on the Executive Department, submitted a report.

On motion of Mr. Austin, the reading of the report was dispensed with, the same having been read to the Convention on yesterday.

On motion of Mr. Sullivan the report was received, and made the order of the day for Monday, 2d day of May next.

Mr. Wilson, chairman of Special Committee on the Assault of Members, submitted their report, with the details of the evidence before them.

Mr. Duane moved the testimony of accused be stricken out. Lost.

Mr. Montamat moved to lay the report on the table. Lost.

Mr. Gastinel moved to lay the motion over to await the decision of the courts. Lost.

Mr. Hills moved that a committee of three be appointed to take the matter into consideration. Lost.

Mr. Brott moved that the report be re-committed to the original committee, which motion was amended on motion of Mr. Foley, by adding the name of Thorpe to that committee.

The motion, as amended, was carried.

THE ORDER OF THE DAY, TO-WIT :

The report of the Committee on Mode of Revising the Constitution was then taken up, and passed its first reading.

Mr. Hills moved to adopt the report.

The president decided that the motion was not in order, as the report must lay over under the rules.

Mr. Heard moved to suspend the rules, in order to a second and third reading, with a view to its adoption, upon which motion the vote was taken, and a division being called for, the vote resulted : ayes 28, nays 42, and the motion was lost.

Mr. Montamat moved to adjourn, but withdrew for the following resolution presented by Mr. Wells :

Whereas, It is right and proper that sufficient time be allowed for the calm consideration of the perplexing and important questions now before this Convention, and in order to give ample opportunity and further time for the country parishes to send their delegates, by which the State at large may be more fully represented and heard ;

Be it Resolved, That this Convention adjourns on Saturday, the 30th inst., until the 1st June, 1864, at 12 o'clock m., or until

such time as called by order of the president of this Convention.

Mr. Montamat's motion to adjourn was lost upon division called. Yeas 29, nays 42.

Mr. Cazabat moved to suspend the rules for the purpose of taking action on Mr. Wells's resolution. Lost.

Mr. M. W. Murphy presented the following :

Resolved, That the compensation of chief clerk of the Bureau of Enrollment be fixed at \$12 per day, and two translating clerks, each \$10 per day.

Mr. S. Pursell gave notice that he would offer substitutes for the first five articles of the Report of the Committee on Education, which substitutes were then read by him.

Mr. Stocker moved that the substitutes be printed for the use of the Convention. Carried.

Several motions to adjourn to stated periods were made and lost.

On motion of Mr. Hills, the Convention then adjourned to 12 o'clock to-morrow.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, April 27th, 1864.

The Convention was called to order at 12 o'clock M., and after prayer by the Rev. Mr. Deossy, of the U. S. Christian Commission, the secretary called the roll and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Balch, Barrett, Bell, Bofill, Bonzano, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Collin, Davies, Dufresne, Decker, Dupaty, Edwards, Ennis, Fish, Flagg, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Hills, Kavanagh, Kugler, Maas, Maurer, Millspaugh, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Sullivan, Wells, and Mr. President—59.

There being no quorum present the president directed the sergeant-at-arms to procure the attendance of absent members.

Messrs. Austin, Bromley, Brott, Gastinel, Hire, Howell, Knobloch, Mendiverri, Montamat, Montague, Morris, Pursell S., Schroeder, Stocker, Stauffer, Wilson and Beauvais, having entered the hall and taken their

seats, the president announced that a quorum was present.

The minutes of yesterday's proceedings were then read by the secretary, amended and adopted.

Mr. Bonzano presented a memorial from A. Vallas, Ph. D., late acting superintendent and professor of the State Seminary of Louisiana, on the subject of education.

After reading the memorial, Mr. Bonzano moved that it be referred to the Committee on Education, and that it be printed for the use of the Convention, which motion was carried.

Mr. Bonzano, as chairman of the Committee on Emancipation, then presented a report, which was accepted, and made the order of the day for Wednesday, 4th day of May next.

Mr. Abell, also of the Committee on Emancipation, submitted a minority report.

Mr. Hills moved that it be received and made the special order of the day for Monday next.

Mr. Stauffer moved to amend Mr. Hills's motion by making it the order of the day for Wednesday next, 4th May, and the motion as amended was carried.

Mr. Sullivan offered substitutes for nine articles of the report of the Judiciary Committee.

On motion of Mr. Wilson the substitutes were received and ordered to be printed.

On motion of Mr. Stocker the substitutes were made the order of the day for Friday, 29th inst.

Mr. Brott, chairman of the Committee on Finance, submitted a report, which was adopted.

The report of the Committee on Federal Relations was called up and passed its second reading.

Mr. Brott asked leave to bring in a minority report on to-morrow. Granted.

Mr. Thorpe, chairman of the Committee on Enrollment, reported as correctly enrolled the following resolutions :

Resolution allowing one hundred dollars to H. A. Gallup, for services as assistant secretary before the organization of this Convention.

Resolution requesting the state librarian

to furnish each member with a copy of the Revised Statutes.

Resolution fixing the compensation of the members of the Convention, and also appointing a committee of five to fix the salary of the officers and employés of this Convention.

Resolution inviting the governor to issue his proclamation to fill a vacancy for a delegate from the Tenth Representative District.

On motion of Mr. Montamat, the report was received and the president requested to sign the enrolled resolution referred to therein.

Mr. S. Pursell offered the following substitute to the report of the Committee on Federal Relations :

The United States of America is one government. The several States auxiliary thereto, with local powers.

Mr. Wilson moved to lay it on the table. Lost.

On motion of Mr. Shaw, the substitute was referred to Committee on Federal Relations.

Mr. Cazabat offered a substitute for the report of the Committee on Preamble.

On motion it was referred to the Committee on Preamble.

Mr. Hills then called up his resolution of the day previous, relative to the attendance of members.

Mr. Montamat moved to lay it on the table, when the yeas and nays were called for and the vote taken, with the following result :

AYES—Messrs. Austin, Balch, Baum, Beauvais, Bofill, Bromley, Buckley, Burke, Campbell, Crozat, Cutler, Davies, Dufresne, Dupaty, Decker, Edwards, Fish, Gastinel, Gruneberg, Harnan, Heard, Hire, Kavanagh, Knobloch, Kugler, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Pintado, Purcell J., Pursell S., Seymour, Stocker, Sullivan, Thorpe—41

NAYS—Messrs. Abell, Ariail, Barrett, Bell, Bonzano, Brott, Cazabat, Cook J. K., Cook T., Collin, Ennis, Foley, Fosdick, Goldman, Gorlinski, Gaidry, Healy, Hart, Hills, Howell, Maas, Maurer, Millsbaugh, Montague, Murphy E., Poynot, Schroeder, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Thomas, Wenck, Wells, Wilson—37.

The resolution was, therefore, laid on the table.

Mr. M. W. Murphy then called up his resolution relative to the compensation of enrolling clerks and translators. On motion it was referred to the Committee on Compensation.

The order of the day was then taken up, to-wit : The second reading of the report of the Committee on the Mode of Revising the Constitution.

Mr. Howell moved to amend third line of article —, by striking out the words "two-thirds," and substituting the words "three-fourths."

A motion to lay the amendment on the table was lost ; yeas 17, nays 41.

A motion to reconsider the vote just taken was carried.

Mr. Thorpe then offered the following resolution :

Resolved, That the final vote upon the section providing for the revising or amending the constitution lie upon the table after all articles preceding it in order be adopted.

Messrs. S. Pursell and Cazabat moved to suspend the rules in order to the adoption of the resolution, but the chair decided that the question then in order, was upon the adoption of Mr. Howell's amendment, which was then put and the amendment was lost.

The rules were then suspended, and Mr. Thorpe's resolution was taken up and adopted.

The Convention then adjourned until tomorrow at 12 o'clock m.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

THURSDAY, April 28, 1864.

Pursuant to adjournment the Convention met, at 12 o'clock m., and was called to order by the president and, after prayer by the Rev. Mr. Strong, the roll was called by the secretary and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Brott, Burke, Cook J. K., Cook T., Crozat, Cutler, Collin, Davies, Dufresne, Duane, Decker, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy,

Harnan, Hart, Heard, Hills, Hire, Kavanagh, Knobloch, Kugler, Maas, Maurer, Mendiverri, Millsbaugh, Montamat, Montague, Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thomas and Wells—72 members present.

There being no quorum, the sergeant-at-arms was sent for absent members.

The following gentlemen entered the hall and took their seats :

Messrs. Henderson, Howell, Murphy E., Stocker—76 members present.

The president announced a quorum present, and the minutes of yesterday's proceedings were read and adopted.

Mr. Goldman offered a memorial.

The president informed him that as the memorial was signed only by himself, he being a member of the Convention, could not present it.

Mr. Goldman then offered the following resolution :

Be it Resolved, That banking corporations, under the authority of the State, are prohibited, and that those banks which are doing banking business at present, or have done so hitherto, are hereby forbidden to continue such business.

EDMUND GOLDMAN.

Laid over.

Mr. Gruneberg offered the following resolution :

Whereas, The Constitutional Convention of the State of Louisiana has been called principally to decide on the abolition of slavery in this State ; *whereas*, the adoption of this measure, in whatever manner or form, will necessarily require great modifications in all parts of the organic law of the State ; *whereas*, for these reasons this Convention cannot or ought not to come to a final decision on the reports of any of the standing committees on constitutional amendments, before voting on emancipation ; *and, whereas*, the question of emancipation being the most important of all, requires the longest and most mature deliberation of this assembly ;

Be it therefore Resolved, That this Convention will take in consideration, first, the reports of all the standing committees on constitutional amendments, with substitutes and amendments thereto, except the report of the Committee on Emancipation—but they shall not pass further than a second reading; that then the report of the Committee on Emancipation shall be taken up, and

be then regularly passed to a final vote ; and that afterwards the reports of all the other standing committees shall pass their third reading and to a final vote thereon ;

And moreover, Resolved, That the Convention shall only adjourn from day to day until the reports of all standing committees on constitutional amendments, except that of emancipation, shall have passed a second reading.

Laid over.

REPORTS OF STANDING COMMITTEES.

Committee on Legislative Department reported progress.

Committee on Executive Department made no report.

Committee on Internal Improvements made no report.

Committee on Schedule no report.

Committee on Ordinance no report.

Committee on Enrollment reported.

Mr. Millspaugh, in behalf of Mr. Thorpe, chairman of Committee on Enrollment, reported as correctly enrolled, the following resolutions :

1. Resolution requesting the governor to issue his proclamation for and election of delegates from the parishes of Plaquemines and Ascension.

2. Resolution relative to the statue of Washington.

3. Resolution relative to the per diem of members.

4. Resolution relative to auditor of public accounts, requesting a statement regarding the administration of his excellency Geo. F. Shepley, late military governor.

On motion of Mr. Bell, the report was received and the president requested to sign the resolutions reported enrolled.

Mr. Balch called for the reading of the resolution relative to the governor's proclamation.

On motion of Mr. Stiner, the reading was dispensed with.

Committee on Assault of Members reported progress.

Mr. Sullivan, chairman of Committee on Statue of Washington, reported that the committee had opened correspondence with the secretary of war upon the subject referred to them. Report received.

Mr. M. W. Murphy presented the following :

To the president and members of the Convention :

The committee appointed to fix the compensation of officers and employes of this Convention, submit the following report on unfinished business :

The compensation of the chief clerk of enrollment to be ten dollars per day ; that of two translating clerks, each, ten dollars per day, to commence from the 6th April, 1864.

M. W. MURPHY, Chairman.
J. RANDALL TERRY,
JAMES ENNIS,
GEO. A. FOSDICK.

On Mr. Foley's motion the report was adopted.

Mr. Brott, chairman of Finance Committee, stated that, according to his opinion, the appropriation of \$100,000 made by this Convention did not apply to other expenses than mileage and per diem of members and employes of the Convention. He desired that the Committee on Expenses should report before the Committee on Finance make any further report.

Committee on Expenses had "no report."

Mr. Stocker rose to state that according to his recollection the sum of one hundred thousand dollars had been provided to meet contingent expenses.

The resolution referred to was read.

Mr. Brott's motion : That the Committee on Expenses be instructed to make an estimate of money required and bring in a bill for the same.

Mr. Purcell, chairman of the Committee on Expenses, explained that they had merely approved bills.

Mr. Brott stated that his motion was seconded by Mr. Beauvais.

The president stated that it must lay over one day.

The special order of the day was then taken up, to-wit :

The report of the Committee on General Provisions.

The report was read, and upon motion of Mr. Cutler, the second and third readings were postponed until the reports of the preceding committees had been acted upon.

The report of the Committee on Federal Relations was then taken up and read by the secretary.

Mr. Brott presented a minority report of the committee.

Mr. Balch moved to lay the minority report upon the table.

Mr. Foley called for the yeas and nays.

Upon Mr. Bell's motion, the report was adopted ; but upon Mr. Hills's suggestion, that the yeas and nays had been demanded, the president directed them to be called, when the vote was taken as follows :

YEAS—Messrs. Abell, Balch, Davies, Henderson—4.

NAYS—Messrs. Ariail, Austin, Bailey, Barrett, Bell, Bofill, Bonzano, Brott, Bromley, Burke, Campbell, Cook T., Cook J. K., Crozat, Cutler, Collin, Decker, Dufresne, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Gaidry, Geier, Goldman, Gorlinski, Harnan, Hart, Healy, Heard, Hills, Hire, Kavanagh, Knobloch, Kugler, Maas, Maurer, Mendiwerri, Millsbaugh, Montague, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Shaw, Smith, Spellicy, Seymour, Stumpf, Stine, Stauffer, Sullivan, Terry, Thorpe, Thomas, Wells, Wilson—70.

Consequently the motion of Mr. Balch was lost.

Mr. Wilson moved that the minority as well as the majority report of the Committee on Federal Relations, be made the order of the day for Tuesday, May 3d, 1864. Carried.

On motion of Mr. Austin, the minority report was ordered to be printed.

Mr. Balch moved to adjourn *sine die*.

Mr. Campbell seconded.

Motion lost.

Mr. Stauffer rose to a question of privilege, and moved that the sergeant-at-arms be instructed to remove the member from Iberville, and a vote of censure passed upon him for his conduct in this Convention.

Mr. Stocker's motion to table was declared lost, and upon the yeas and nays being called was plainly so. Yeas 25, nays 48.

The roll was called, to see if a quorum was present, when 76 members answered.

On Mr. Hills's suggestion,

Mr. Stauffer stated his reasons for offering the resolution, and withdrew it.

Mr. Balch explained why he moved to adjourn *sine die*.

Mr. Purcell's substitute for the report of

Committee on Federal Relations (presented on yesterday) was read.

Mr. Hills moved that any action upon it be postponed until the minority report should be acted upon.

Motion carried.

Mr. Hills, chairman of the Committee on Education, submitted a report upon the memorial of A. Vallas.

Mr. Wilson's motion to receive and print and make the order of the same day as the reports, was carried.

On motion, the Convention adjourned to meet on Friday, the 29th instant, at 12 M.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, April 29, 1864.

The president called the Convention to order at 12 o'clock M., and, after prayer by the Rev. Mr. Gilbert, the secretary called the roll, and the following gentlemen answered to their names:

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bonzano, Bromley, Buckley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Collin, Davies, Dufresne, Decker, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Fosl-dick, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Howell, Kavanagh, Knobloch, Kugler, Maas, Maurer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wells and Wilson—81 members present.

The minutes of yesterday were read and approved.

Mr. Harnan offered a resolution relative to absent members, and providing a remedy for such absence.

Mr. Montamat moved to suspend the rules in regard to said resolution, which motion was carried.

Mr. Montamat then moved to lay the resolution on the table, upon which motion a division was called: ayes 37, nays 26. Carried.

r. Bell asked leave to present a petition. Granted.

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He then presented a petition from Mr. Henry Copeland, acting sergeant-at-arms during the first six days of the Convention, relative to his compensation.

On motion of Mr. Wilson, the petition was referred to the Committee on Compensation of officers and employés.

Mr. Samuel Pursell, chairman of the Committee on Expenses, offered a resolution appropriating twenty-five thousand dollars, for contingent expenses of the Convention.

The rules were suspended and the resolution adopted.

The secretary then read a communication from the secretary of state relative to the election of Benjamin H. Orr as delegate from the Tenth Representative District, and a protest against said election by T. F. McGuire.

Mr. Hills moved to refer the whole matter to the Committee on Credentials.

Mr. Goldman called up his resolution of yesterday relative to banks and banking.

A motion was made to lay the resolution on the table, upon which the yeas and nays were called with the following result:

YEAS—Messrs. Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Cook T., Crozat, Dufresne, Edwards, Fish, Flagg, Flood, Fuller, Geier, Healy, Harnan, Henderson, Hire, Kavanagh, Maas, Mendiverri, Montamat, Murphy E., Murphy M. W., Howell, Harnan, Poynot, Shaw, Stocker, Spellicy, Stumpf, Terry, Wilson—39 yeas.

NAYS—Messrs. Ariail, Bonzano, Cazabat, Cook J. K., Collin, Davies, Duane, Decker, Ennis, Foley, Fosl-dick, Goldman, Gorlinski, Gruneberg, Gaidry, Hart, Heard, Hills, Howell, Knobloch, Kugler, Maurer, Mills-paugh, Montague, Morris, O'Conner, Ong, Payne J., Pintado, Purcell J., Pursell S., Schroeder, Seymour, Smith, Stiner, Stauffer, Sullivan, Thorpe, Thomas, Waters, Wenck, Wells—42 nays.

The motion to lay on the table was lost.

Mr. Thomas moved that the resolution be referred to the Committee on General Provisions.

Mr. Stauffer moved to amend Mr. Thomas's motion by referring it to a committee of five, to be appointed by the president, to be called the Committee on Banks and Banking. Amendment lost.

Mr. Campbell moved to refer to a particular day. Lost.

Mr. Stocker moved that the resolution be made the order of the day for the first day of January, 1865.

Mr. Davies moved to lay Mr. Stocker's motion on the table, upon which motion a division was called for—ayes 55, nays 10—and Mr. Stocker's motion was laid on the table.

Mr. Hills renewed the motion to refer to the Committee on General Provisions.

The question upon referring to the Committee on General Provisions was then put and carried.

Mr. Foley moved that Mr. Howell be added to the Committee on General Provisions, in consequence of the illness of the chairman of that Committee. Laid over.

Mr. Gruneberg's resolution of yesterday, relative to the postponement of any definite action on the report of the Committee on Emancipation, until the reports of all the other standing committees shall have passed second reading. On motion of Mr. Thomas, it was ordered to be printed and made the order of the day for Monday next, 2d day of May.

The special order of the day, viz : The second reading of the report of the Committee on Judiciary, together with the amendments of Messrs. Henderson and Sullivan, were then taken up.

Mr. Cazabat moved to adjourn. Lost.

Mr. Stauffer offered a substitute for articles 11 and 12. Ordered to be printed.

Mr. Montamat offered an amendment to sections 11 and 12. Ordered to be printed.

The motion to make the report and amendments the order of the day for Friday next, May 6th, 1864, was lost.

Friday, 6th May, was then fixed for the third reading.

Mr. Cutler moved that the reports of committees be considered in regular order, according to the classification of the constitution of 1852, and offered a resolution to that effect.

On motion to reconsider the vote fixing the third reading for Friday, May 6th, prox., the motion was carried.

On motion of Mr. Henderson, the rules were suspended for the purpose of taking up the report of the committee, as also the amendments and substitutes.

Mr. Cutler said his resolution would cut off all debate, and for the purpose of discussion he would waive the resolution.

Mr. S. Pursell moved to take up and adopt Mr. Sullivan's amendments.

Mr. Shaw moved to take up the report section by section. Carried.

Mr. Wilson moved to adjourn the debate until Monday next, May 2d.

A motion to lay Mr. Wilson's motion on the table was lost. Ayes 25, nays 47.

The question then recurred on Mr. Wilson's motion to adjourn the debate to Monday next. Division—ayes 31, nays 51.

Mr. Cutler then offered the following resolution :

Resolved, That the third reading of the report of the Judiciary Committee, all substitutes and amendments thereto, be postponed for the action of this Convention thereon until after all preceding reports of the committees, according to the classification, as fixed in the constitution of 1852, be acted upon and adopted by this Convention.

Carried.

Mr. Stauffer moved the adoption of the first article of the report. Adopted.

Mr. Abell offered a substitute for the second article. Received and read.

Mr. Henderson offered a substitute for the second article. Received and read.

On motion of Mr. Sullivan, the Convention then adjourned.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

SATURDAY, April 30th, 1864.

The Convention met and was called to order by the president, at 12 o'clock m., and, after prayer by the Rev Mr. Gilbert, the secretary called the roll and the following gentlemen answered to their names :

Messrs. Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Brott, Buckley, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Davies, Decker, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Millspaugh, Montamat Montague, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Pintado, Poynot, Purcell J., Schroeder, Schnurr, Seymour, Shaw, Smith, Stumpf

Stiner, Stauffer, Sullivan, Terry, Thomas, Waters, Wilson, Wells—69 members.

There being no quorum present the sergeant-at-arms was directed to procure the attendance of absent members.

Upon Messrs. Bromley, Campbell, Cutler, Duane, Howell and Wenck, entering and taking their seats, the president announced that a quorum was present.

The minutes of yesterday were read and approved.

Mr. Thomas offered a preamble and resolutions relative to presidential electors.

The rules were suspended and the resolutions adopted.

The president appointed on the committee, raised by said resolutions, to report as to the manner in which seven electors for President and Vice-President of the United States shall be chosen in this State, for the coming presidential election, viz.: Messrs. Thomas, (chairman) Cazabat, S. Pursell, Fish, and Heard.

Mr. Campbell offered the following amendment:

Art. —. No tax, State or municipal, shall be imposed by the General Assembly upon the actual capital engaged in the following industrial arts, viz.: All manufactories of cloth, leather, yarn and cotton bagging, and those engaged in shoe manufacturing, provided twenty hands, at least, are employed. The General Assembly may, however, exempt such others as they deem advisable; this exemption to be allowed for the term of ten years from and after the date of its establishment.

Mr. Stiner offered the following:

Art. —. That no licenses be granted to gambling houses in the State.

On motion of Mr. Hills, the two foregoing propositions were referred to the Committee on General Provisions.

Mr. Gorlinski, on behalf of the Committee on Internal Improvements, stated that the committee would report on Monday.

Mr. Millsbaugh, on behalf of the Committee on Enrollment, reported as correctly enrolled, the resolution appropriating twenty-five thousand dollars for the contingent expenses of the Convention.

Mr. J. Purcell, on behalf of the Committee on Printing, submitted a written report.

Mr. Gastinel moved that the report be

printed, and made the special order of the day for Friday next, May 5th.

The yeas and nays were called on Mr. Gastinel's motion, resulting as follows:

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Beauvais, Bonzano, Bromley, Burke, Campbell, Cook T., Cutler, Davies, Dufresne, Edwards, Ennis, Flagg, Foley, Fosdick, Gastinel, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Maurer, Millsbaugh, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck—60.

NAYS—Messrs. Abell, Baum, Bell, Bofill, Buckley, Collin, Cook J. K., Crozat, Decker, Duane, Flood, Montamat, Poynot, Stocker, Thomas, Wilson—16.

Consequently, the motion was carried.

Mr. Wilson, of the Committee on Assault of Members, said the committee would report on Thursday next.

The other committees reported progress.

Mr. Foley called up his resolution adding the name of Mr. Howell to the Committee on General Provisions, and the same was adopted.

On motion of Mr. Abell, the discussion on the report of the Judiciary Committee, as also upon the amendments therefor, was postponed until the reports of the committees preceding the judiciary shall have been disposed of.

The report of the Committee on Education being the special order of the day, was next taken up and read, together with the substitutes of Messrs. S. Pursell and Hart.

Messrs. Sullivan, Stauffer, Davies, Gruneberg and Bonzano offered amendments to various sections of the report, but, on motion of Mr. Heard, the report was taken up section by section, and the amendments were withdrawn for the purpose of being offered in their proper places.

Article first of the report being read, Mr. Davies offered an amendment, striking out that portion authorizing the General Assembly to abolish the office of superintendent of Public Education.

The vote was taken on a motion to lay Hr. Davies's motion on the table:

YEAS—Messrs. Ariail, Austin, Balch, Bar-

rett, Baum, Bell, Buckley, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Decker, Duane, Dufresne, Edwards, Fosdick, Gorlinski, Harnan, Hart, Healy, Heard, Henderson, Hills, Howell, Maurer, Montamat, Montague, Murphy M. W., Newell, Normand, O'Conner, Ong, Poynot, Smith, Spellicy, Sullivan, Terry, Thorpe, Wells, Wilson—41.

YAYS—Messrs. Bailey, Beauvais, Bofill, Bonzano, Bromley, Burke, Crozat, Davies, Ennis, Fish, Flagg, Flood, Foley, Gastinel, Gaidry, Geier, Goldman, Gruneberg, Hire, Knobloch, Kugler, Maas, Mann, Mendiverri, Millsbaugh, Morris, Murphy E., Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Stocker, Stumpf, Stiner, Stauffer, Thomas, Waters, Wenck—39.

Mr. Pursell offered the following substitute for article 1 :

MR. S. PURSELL'S SUBSTITUTE.

Art. —. There shall be elected a superintendent of Public Education, who shall hold his office for the term of four years. His duties shall be prescribed and compensation fixed by the General Assembly.

On motion to adopt Mr. Pursell's substitute, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Abell, Bailey, Barrett, Beauvais, Bell, Bromley, Burke, Campbell, Collin, Cutler, Davies, Duane, Ennis, Flagg, Foley, Gastinel, Gaidry, Geier, Goldman, Healy, Hire, Knobloch, Maas, Mann, Maurer, Mendiverri, Millsbaugh, Morris, Murphy E., Normand, Ong, Pursell S., Schroeder, Shaw, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Thomas, Wenck—43.

NAYS—Messrs. Ariail, Austin, Buckley, Cazabat, Cook J. K., Cook T., Decker, Dufresne, Dupaty, Flood, Fosdick, Gorlinski, Gruneberg, Harnan, Hart, Heard, Henderson, Hills, Howell, Kugler, Montamat, Montague, Murphy M. W., Newell, O'Conner, Pintado, Poynot, Schnurr, Sullivan, Waters, Wilson—31.

No quorum voting, a call of the House was ordered, when, it being ascertained that there was no quorum in the House, on motion the Convention adjourned until 12 o'clock on Monday next.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

MONDAY, May 2, 1864.

The Convention met at 12 o'clock m., and the roll being called the following gentlemen answered to their names :

Messrs. Abell, Ariail, Austin, Barrett, Bell, Bofill, Bonzano, Bromley, Brott, Burke, Campbell, Cook J. K., Crozat, Davies, Du

fresne, Duane, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Kavanagh, Kugler, Maas, Mann, Millsbaugh, Montamat, Montague, Murphy M. W., Normand, O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thomas, Waters, Wells and Wilson—66 members present.

There being no quorum, the sergeant-at-arms was directed to bring in absent members.

Messrs. Cutler, Baum, Mendiverri, Buckley, Collin, Cook T., Thorpe, Beauvais, Wenck and Cazabat, having taken their seats, the president announced that a quorum was present.

The minutes of Saturday were read and approved.

Mr. Terry offered the following :

Whereas, Several persons are holding offices, State and municipal, who are not citizens of the State, or qualified, as per order of the president, December 8, 1863 therefore, be it

Resolved, That all persons holding State or municipal offices not qualified voters of the State, or who have not complied with the oath of the President's proclamation of December 8, 1863, that it is the sense of this Convention, they should be promptly removed by the governor of the State and mayor of the city, who are respectfully requested to enforce this resolution.

The rules having been suspended, a motion to lay on the table was lost.

The question then recurring on the adoption of the resolution, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Bailly, Bell, Bofill, Bonzano, Bromley, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Collin, Duke, Davies, Duane, Dufresne, Ennis, Fish, Flagg, Flood, Foley, Geier, Gorlinski, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Kavanagh, Maas, Millsbaugh, Murphy E., Newell, Normand, O'Conner, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells and Wilson—56.

NAYS—Messrs. Abell, Austin, Barrett, Baum, Beauvais, Brott, Buckley, Burke, Cutler, Fuller, Gastinel, Heard, Kugler, Mann, Mendiverri, Montamat, Montague, Murphy M. W., Ong, Schnurr and Thomas—21.

Consequently the resolution was adopted.

Mr. Henderson moved a reconsideration of the foregoing vote, which was lost.

Mr. Bromley offered the following resolutions :

Resolved, That the future sessions of this Convention shall be of not less than four hours' duration.

Resolved, That the pay per diem of the members of this Convention shall cease on and after the fortieth day of its organization.

The rules having been suspended, on motion of Mr. Montamat the foregoing resolutions were laid on the table.

Mr. Montamat, on behalf of the Committee on Credentials, stated that Mr. J. T. Maguire requested to withdraw his protest against the election of Mr. Orr—which was granted, whereupon Mr. Montamat submitted the following report :

To the honorable president and members of the Constitutional Convention :

Gentlemen—Your Committee on Credentials, after due examination of all witnesses produced before us by Mr. T. F. McGuire, contesting the election of Mr. B. H. Orr, as a delegate from the Tenth Representative District, beg leave to report that Mr. B. H. Orr has been duly elected as a delegate to this Convention, to represent the Tenth Representative District of the city of New Orleans: that he is duly qualified, and entitled to a seat in this Convention.

All of which is respectfully submitted.

JOHN P. MONTAMAT, *Chairman*.

The report was received and adopted, and Mr. Orr took his seat.

Mr. Henderson asked and obtained leave of absence for Mr. Montague.

The president laid before the Convention a communication from the secretary of state, enclosing the returns of the late election in the parish of Jefferson, to fill the vacancy occasioned by the resignation of Christian Roselius, Esq.

Referred to Committee on Credentials.

The following resolutions, by Mr. Grunenberg, being the special order of the day, were then taken up :

Whereas, The Constitutional Convention of the State of Louisiana has been called principally to decide on the abolition of slavery in this State; *whereas* the adoption of this measure, in whatever manner or form, will necessarily require great modification in all parts of the organic law of the State; *whereas*, for these reasons this Convention

cannot or ought not to come to any final decision on the reports of any of the standing committees on constitutional amendments, before voting on emancipation; *and whereas*, the question of emancipation being the most important of all, requires the longest and most mature deliberation of this assembly;

Be it therefore Resolved, That this Convention will take into consideration, first, the reports of all the standing committees on constitutional amendments, with substitutes and amendments thereto, except the report of the Committee on Emancipation, but they shall not pass further than a second reading; that then the report of the Committee on Emancipation shall be taken up, and be then regularly passed to a final vote; and that afterwards, the reports of all the other standing committees shall pass to a third reading and to a final vote thereon; and moreover resolved, that this Convention shall only adjourn from day to day until the reports of all the standing committees on constitutional amendments, except that of emancipation, shall have passed a second reading.

On motion of Mr. Wilson, the resolutions were adopted.

The Convention then resumed the consideration of the unfinished business, upon which it was engaged on Saturday last, viz: the second reading of the report of the Committee on Public Education.

Mr. S. Pursell moved the adoption of the following substitute for the first article of the report :

There shall be elected a superintendent of Public Education, who shall hold his office for the term of four years. His duties shall be prescribed and compensation fixed by the General Assembly.

On this motion the yeas and nays were ordered, resulting as follows :

YEAS—Messrs. Abell, Bailey, Barrett, Beauvais, Bell, Bennie, Bonzano, Bromley, Brott, Buckley, Burke, Campbell, Collin, Crozat, Cutler, Davies, Duane, Dufresne, Duke, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Gaidry, Geier, Grunenberg, Heard, Hire, Kugler, Maas, Mann, Mendi-verri, Millsbaugh, Montague, Murphy E., Normand, Ong, Orr, Payne J., Pinto, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Stocker, Stumpf, Stiner, Stauffer, Terry, Thomas, Wenck—55.

NAYS—Messrs. Atrial, Austin, Cazabat, Cook J. K., Cook T., Edwards, Gorlinski, Harnan, Hart, Healy, Hills, Murphy M. W., Newell, O'Conner, Poynot, Schnurr, Spellicy, Sullivan, Thorpe, Waters, Wells, Wilson—22.

Consequently the motion prevailed and the substitute was adopted.

Mr. Sullivan offered the following substitute for the second section of the report, viz :

The General Assembly shall establish free public schools throughout the State, for all free white children, by general taxation or otherwise, and all moneys shall be distributed to each parish in proportion to the number of white children between such ages as shall be fixed by the General Assembly.

A motion to lay on the table was negatived, whereupon a lengthy discussion arose, pending which the Convention adjourned.

Minutes adopted.

JOHN E. NEELIS,

Secretary.

TUESDAY, May 3, 1864.

The Convention was called to order by the president at 12 o'clock M., and after prayer by the Rev. Mr. Horton, the roll was called and the following gentlemen answered to their names :

Messrs. Abell, Barrett, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Collin, Cook J. K., Crozat, Davies, Decker, Duane, Dufresne, Duke, Edwards, Ennis, Foley, Fosdick, Fuller, Geier, Goldman, Healy, Heard, Henderson, Hills, Howes, Kavanagh, Maas, Mann, Hillspaugh, Murphy M. W., Newell, Normand, O'Conner, Payne J., Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Schnurr, Stumpf, Terry, Thomas, Wells, Wilson and Mr. President—50.

There not being a quorum present, the sergeant-at-arms was directed to procure the attendance of absent members.

Messrs. Ariail, Balch, Baum, Beauvais, Bell, Campbell, Cook T., Dupaty, Fish, Flag, Gastinel, Gaidry, Harnan, Hart, Hire, Kugler, Mendiwerri, Montamat, Murphy E., Ong, Orr, Smith, Stiner, Stauffer, Sullivan, Thorpe and Waters having taken their seats, the president declared a quorum present.

The minutes of yesterday were read and adopted.

Mr. Sullivan offered the following resolution, which was laid over under the rules :

Resolved, That the clerks, officers and employes of this Convention be and are hereby exempt from serving, during the session of the Convention, as jurors in the several District Courts of this parish.

Mr. Montamat offered the following :

Resolved, That the resolution adopted by this House fixing the hour of 12 o'clock M. for the meeting of this Convention, be and the same is hereby repealed.

Resolved, further, That this House will hereafter meet at 11 o'clock A. M.

Mr. Fosdick moved to suspend the rules for the purpose of taking up Mr. Montamat's resolution. Lost.

Mr. Fosdick, chairman of Committee on Legislative Department, submitted a written report.

Mr. Hills moved that the report be accepted, and made the order of the day for this day week.

Mr. Stauffer moved to amend Mr. Hills's motion, so as to lay over the report, to come up in its regular order, which amendment was accepted, and the motion as amended was carried.

Mr. Montamat, chairman of the Committee on Credentials, submitted a report relative to the election of Mr. John A. Meyer, which report was received, and Mr. Meyer invited to take his seat in the Convention.

Mr. M. W. Murphy, chairman of the Committee on Compensation of officers and employes of the Convention, reported that Mr. Copeland requests leave to withdraw his petition, heretofore referred to this committee.

The report was received and Mr. Copeland's request granted.

The second reading of the report of the Committee on Education, being unfinished business of yesterday, was then taken up and discussed at great length.

Mr. Hire moved that the Convention adjourn to 6 o'clock this evening ; but the motion being lost, the Convention then adjourned until 12 o'clock M. to-morrow.

Minutes adopted.

JOHN E. NEELIS,

Secretary.

WEDNESDAY, May 4, 1864.

The Convention was called to order at 12 M., and the proceedings were opened with prayer by the Rev. Mr. Andrews. The roll was called and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Barrett, Bell, Bennie, Bofill, Bonzano, Bromley,

Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Flood, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Heard, Henderson, Hills, Hire, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mills-paugh, Montamat, Murphy M. W., Newell, Normand, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wells, Wilson—72.

MESSRS. Fish, Flagg, Foley, Montamat and Murphy E., having taken their seats, the president declared a quorum present.

The minutes of yesterday were then read and adopted.

Mr. Stauffer offered the following resolutions :

Resolved, That the following be printed and added as articles amending the report of the Committee on General Provisions.

Art.—No person who now holds, or may hereafter hold any office, civil or military under the so-called Confederate States, or under any authority adverse to the government of the United States, shall be eligible to any office of honor, trust or profit in this State.

Art.—No debt created by or under the so-called Confederate States, or under the sanction of any usurping power, shall be recognized and paid.

Laid over.

The reports of committees were called for.

Mr. Shaw, chairman of the Committee on Ordinance, reported progress.

Mr. Wilson, chairman of Committee on Assault of Members, gave notice that he would report to-morrow.

There being no other reports Mr. Sullivan called up his resolution of yesterday, exempting the officers and employes of the Convention from serving on juries during the sitting of the Convention. Adopted.

Mr. Bonzano moved to take up the reports of the Committee on Emancipation, which, being declared out of order,

Mr. Thorpe moved to suspend the rules in order to take up the order of the day, to-wit: the reports of the Committee on Emancipation, upon which motion the ayes and nays were ordered, resulting as follows :

YEAS — Messrs. Austin, Bell, Bennie, Bonzano, Bromley, Brott, Buckley, Burke,

Collin, Cook J. K., Cook T., Davies, Duane, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geire, Goldman, Gorlinski, Gaidry, Healy, Hart, Henderson, Hills, Hire, Howes, Kugler, Maas, Mann, Mills-paugh, Murphy E., Newell, Normand, Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stiner, Stauffer, Terry, Thorpe, Thomas, Wilson—54.

NAYS—Messrs. Abell, Balch, Bailey, Bar-rètt, Bofill, Campbell, Crozat, Decker, Dufresne, Dupaty, Gruneberg, Heard, Knobloch, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., O'Conner, Ong, Orr, Seymour, Stumpf, Sullivan, Waters, Wells—26.

Whereupon the president declared the rules suspended, and the reports of the Committee on Emancipation were then taken up.

Mr. Abell moved to make the whole matter the order of the day for Monday next. Laid on the table.

Mr. Hills moved to dispose of the reports of the Committee on Emancipation before taking up any other business. Carried.

Mr. Bonzano called for the reading of the reports, whereupon Mr. Montamat called for the reading of the minority report as having preference, which report was then read by the secretary.

Mr. Foley moved to lay the minority report on the table, upon which motion the yeas and nays were ordered, with the following result :

YEAS—Bell, Bennie, Bromley, Burke, Collin, Cook J. K., Davies, Duane, Dupaty, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gaidry, Healy, Hills, Hire, Knobloch, Maas, Morris, Newell, Normand, Pintado, Pursell S., Schroeder, Schnurr, Shaw, Smith, Stauffer, Terry, Thorpe—35.

NAYS—Messrs. Abell, Balch, Bailey, Bar-rètt, Beauvais, Bofill, Bonzano, Brott, Buckley, Campbell, Cazabat, Cook T., Crozat, Cutler, Decker, Dufresne, Duke, Edwards, Ennis, Gastinel, Heard, Henderson, Howes, Kugler, Maurer, Mayer, Mendiverri, Mills-paugh, Montamat, Murphy E., Murphy M. W., O'Conner, Ong, Orr, Purcell J., Poy-not, Seymour, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Thomas, Waters, Wenck, Wells and Wilson—47.

Mr. Henderson then moved that the minority report be rejected.

Mr. Bonzano moved to adjourn the question until Monday next.

The president decided that the rules must

be suspended before the question could be put.

Mr. Stocker then moved to suspend the rules for that purpose. A division being called, there was not a quorum voting, when the ayes and nays were called with the following result :

YEAS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Bell, Bofill, Bonzano, Buckley, Campbell, Cook T., Crozat, Decker, Dufresne, Duke, Edwards, Fosdick, Gastinel, Healy, Heard, Maurer, Mendiverri, Millspaugh, Montamat, Murphy M. W., Murphy E., Normand, O'Conner, Ong, Orr, Poynot, Schroeder, Seymour, Spellicy, Smith, Stocker, Stumpf, Stiner, Sullivan, Waters, Wenck—41.

NAYS—Messrs. Ariail, Beauvais, Bennie, Bromley, Brott, Burke, Collin, Cazabat, Cook J. K., Cutler, Davies, Duane, Ennis, Fish, Flagg, Flood, Foley, Geier, Goldman, Gorlinski, Gaidry, Hart, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Mayer, Morris, Newell, Pintado, Purcell J., Pursell S., Schnurr, Shaw, Staffer, Terry, Thorpe, Wells, Wilson—44.

The motion to suspend was lost.

After a lengthy discussion a motion to adjourn was made and lost.

Mr. Hills having last occupied the floor, and having been called to order by the president, the limited time having expired, it was moved and carried that he be allowed to proceed with his argument.

Mr. Hills returned thanks for the courtesy extended him, but declined further discussion to-day, when, on a motion of Mr. Austin, the Convention adjourned until to-morrow at 12 o'clock m.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

THURSDAY, May 5, 1864.

At 12 o'clock m. the president called the Convention to order. The roll was called and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bonzano, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Duke, Edwards, Ennis, Flagg, Fish, Flood, Foley, Fosdick, Gastinel, Goldman, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Heard, Hills, Howes, Kavanagh, Kugler, Knobloch, Maas, Mann, Maurer, Meyer, Mendiverri, Millspaugh, Montamat, Murphy

M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stocker, Stauffer, Sullivan, Terry, Thorpe, Waters, Wells, Wilson—77.

Minutes of yesterday read by the secretary and approved.

No reports from committees.

Mr. Terry offered the following preamble and resolution :

Whereas, Large sums of money have during the past year been remitted to this State for the purpose of aiding in the formation of a free State government in Louisiana, and it is now a fitting time that the said moneys should be applied to the patriotic purpose of the donors ; and this Convention is informed that said moneys are in the hands of the so-called "Free State General Committee," of which Thos. J. Durant is president, James Graham, secretary, and Edward Heath, treasurer ;

Resolved, That the auditor and treasurer of the State be requested to report to this body whether said funds have been paid into the treasury of the State, for the purpose of being properly devoted to the objects of the contributors ; and if not, that the said auditor and treasurer be empowered to demand of the said Thos. J. Durant, Jas. Graham and Edward Heath, and officers of said committee, the delivery of said funds, or an account of the uses to which they may have been applied ; and that the said auditor and treasurer be instructed to make such further inquiries and investigations as may be necessary, and report the result thereof to this Convention.

Resolution laid over one day.

Mr. Bell offered the following :

Resolved, That the thanks of this Convention be and are hereby tendered Captain Stephen Hoyt, U. S. army, and acting mayor of the city, and G. W. R. Bayley, city surveyor, for the able and efficient manner in which they have by their untiring energy and attention fitted up this hall for the Louisiana State Constitutional Convention.

Mr. Stauffer called up his resolution of yesterday, which, upon motion of Mr. Hills, was referred to Committee on General Provisions.

Mr. Abell offered the following resolution.

Resolved, That the sergeant-at-arms be and is hereby directed to ascertain the cause of the non-attendance at the Convention of the Hon. R. K. Howell, of the Seventh Representative District.

Amended by Mr. Hills so as to include all

members who have already taken their seats.

The rules were suspended, and the resolution carried as amended.

Mr. Campbell offered the following resolution :

Resolved, That no vote on emancipation be taken by this Convention until every member of this Convention be present.

Which resolution was laid over one day under the rules. The unfinished business was then taken up.

Mr. Brott offered an amendment to section 6th of the minority report of the Committee on Emancipation.

Mr. Sullivan moved to adjourn.

Lost.

Mr. Abell then proceeded to make the concluding argument on the adoption of the minority report of the Committee on Emancipation, but gave way to Mr. Cazabat, who desired to express his views on the subject, reserving the privilege of resuming his argument hereafter.

Mr. Cazabat having occupied the time allotted, the Convention adjourned.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, May 6, 1864.

The Convention met and was called to order by the president, pursuant to adjournment, and after prayer by the Rev. Mr. Strong the roll was called and the following gentlemen answered to their names :

Messrs. Abell, Batch, Bailey, Barrett, Beauvais, Bofill, Bromley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Decker, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Hart, Healy, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Mayer, Millspaugh, Montamat, Normand, Orr, Pintado, Poynot, Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wells, Wilson, and Mr. President—63.

There being no quorum present, the sergeant-at-arms was directed to bring in absent members.

Messrs. Austin, Bell, Bonzano, Davies, Foley, Fosdick, Fuller, Harnan, Knobloch, Morris, Payne J., Paine J. T., Purcell J.,

Pursell S., and Stocker, having taken their seats, the president announced a quorum present.

The minutes of yesterday's proceedings were read and approved.

Mr. Thorpe, as chairman of the Committee on Enrollment, reported the following resolution :

Resolved, That the printer of this Convention be instructed to print two thousand copies of the journal, one-half of said number to be in the French language and one-half of said number to be in the English language.

Mr. Wilson moved to amend the resolution by making the number two thousand each. No action.

Mr. Montamat moved to amend by making the number three thousand.

On the question being put, Mr. Montamat's amendment was lost.

The resolution was then adopted as reported by the committee.

There were no reports from committees.

Mr. Wilson, chairman of the Committee on Assault of Members, reported that owing to a misunderstanding of Mr. Henderson's resolution, the committee could not now report.

The president then laid before the Convention the resignation of Mr. Howell, which was read by the secretary.

Mr. Henderson moved that it be accepted, and that the governor be duly informed of the vacancy in this Convention, occasioned thereby.

Upon this motion a division was called. Ayes 55, nays 22.

Mr. Campbell then called up his resolution of yesterday, prohibiting any vote on the question of emancipation until all the members of this Convention shall be present.

Mr. Foley moved to lay the resolution on the table, upon which motion a division was called. Yeas 45, nays 23.

Mr. Foley moved to reconsider the acceptance of Mr. Howell's resignation.

Mr. Henderson moved to lay Mr. Foley's motion on the table. Carried.

The unfinished business of yesterday (the reports of the Committee on Emancipation) was then taken up and the discussion resumed.

Mr. Abell having had the floor for half an

hour, was called to order by the president.

Mr. Hills rose to a point of order, and stated that Mr. Abell was entitled to the floor by a vote of the Convention of yesterday.

The president having decided in the negative on the point of order raised, Mr. Hills appealed to the Convention, upon which question the yeas and nays were ordered, resulting as follows:

YEAS—Messrs. Bell, Burke, Cazabat, Collin, Crozat, Cutler, Davies, Ennis, Fish, Flagg, Flood, Foley, Gaidry, Goldman, Gorlinski, Heard, Henderson, Hire, Mann, Morris, Newell, Payne J., Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Stauffer, Thorpe, Wilson—30.

NAYS—Messrs. Abell, Bailey, Barrett, Beauvais, Bofill, Bonzano, Bromley, Buckley, Cook J. K., Cook T., Decker, Dufresne, Dupaty, Edwards, Fosdick, Fuller, Gastinel, Geier, Harnan, Hart, Healy, Hills, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Normand, Orr, Paine J. T., Pintado, Poynot, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thomas, Wells—47.

Consequently the chair was not sustained, and Mr. Abell proceeded with his argument.

At the conclusion of Mr. Abell's argument, Mr. Hills offered the following resolution:

Resolved, That every vote on the subject of emancipation shall be taken by yeas and nays, and that members not present shall be sent for by the sergeant-at-arms and required to record their votes.

A call of the House being ordered, it was found that 76 members were present, being a quorum.

A motion to adjourn, was lost upon a division of 20 yeas to 47 nays.

Mr. Hills moved to suspend the rules to take up his resolution.

Mr. Henderson insisted on a strict adherence to the rule requiring a two-thirds vote to suspend the rules.

Upon the question to suspend the rules a division was called for, and the rules suspended by a vote of 61 ayes, 2 nays.

The question then recurred on the adoption of Mr. Hills's resolution, and a division being called for, resulted: ayes 66, nays 1; consequently the resolution was adopted.

The vote was then taken on the motion to reject the minority report of the Committee on Emancipation, resulting as follows:

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bonzano, Brott, Bromley, Burke, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gaidry, Geier, Gorlinski, Goldman, Harnan, Hart, Healy, Henderson, Heard, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Millspaugh, Morris, Murphy E., Newell, Normand, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wells, Wilson—71.

NAYS—Messrs. Abell, Balch, Bofill, Buckley, Campbell, Decker, Dufresne, Duke, Gastinel, Gruneberg, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., O'Conner, Stumpf, Sullivan, Waters—19.

Consequently the minority report was rejected.

On motion, the Convention adjourned.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

SATURDAY, May 7th, 1864.

The Convention met at 12 o'clock m., and was called to order by the president.

The roll was called, and the following gentlemen answered to their names:

Messrs. Ariail, Austin, Abell, Balch, Bailey, Barrett, Baum, Bell, Bofill, Bonzano, Bromley, Brott, Buckley, Burke, Campbell, Collin, Cook J. K., Crozat, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne Jno., Paine J. T., Pintado, Purcell Jno., Poynot, Pursell Sam., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Waters, Wells and Wilson—79 members present.

The minutes of yesterday were read, and, on motion of Mr. Abell, their adoption was suspended, for the purpose of allowing gentlemen who were not present yesterday to vote *nunc pro tunc* on the question of the motion to reject the minority report of the Committee on Emancipation, and accordingly the following gentlemen voted:

YEAS—Messrs. Baum, Brott, Collin, Dupaty, Gorlinski, Harnan, Murphy E., Paine J. T.—8.

NAYS—Messrs. Balch, Bofill, Campbell, Dufresne, Gruneberg, Mendiverri—6.

The minutes were then amended, on motion of Mr. Abell, by including the names of these gentlemen in the vote of yesterday, and were then adopted as amended.

On motion of Mr. Hills, the sergeant-at-arms was directed to bring in absent members who had not voted on the question of emancipation, in order to record their votes.

Mr. Henderson moved a suspension of the rules, with a view to rescinding the acceptance of the resignation of Mr. Howell.

Mr. Hills moved to amend by a motion to reconsider the vote on Mr. Howell's resignation.

The question on the motion to suspend the rules being then put, resulted as follows :

AYES—Messrs. Ariail, Bailey, Barrett, Baum, Bell, Bonzano, Bromley, Brott, Burke, Collin, Cook J. K., Cook T., Crozat, Duane, Duke, Dupaty, Ennis, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Maas, Mayer, Mendiverri, Millspaugh, Murphy E., Orr, Poynot, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry and Wilson—49.

NAYS—Messrs. Abell, Balch, Bofill, Buckley, Campbell, Davies, Decker, Dufresne, Gruneberg, Healy, Harnan, Hart, Knobloch, Mann, Maurer, Montamat, Murphy M. W., Normand, O'Conner, Payne Jno., Payne J. T., Pintado, Purcell Jno., Pursell Sam., Sullivan and Waters—26.

Consequently there not being two-thirds in favor of a suspension of the rules, the question was lost.

Mr. Bromley offered the following resolution, which was laid over :

Whereas, The citizens of this State, residing in the country parishes, are in a continual state of alarm, bordering on a panic, which threatens an interruption of all labor, by a simultaneous abandonment of all unprotected parishes in the country, in consequence of raids from the guerrillas; therefore be it

Resolved, That a committee of five be appointed to confer with the governor and the adjutant general of this State to devise ways and means to organize the militia, whereby we may be properly protected in life, in liberty and pursuit of happiness.

Mr. Sam'l Pursell offered the following :

ART.—Taxation shall be equal and uniform throughout the State. All property shall

be taxed in proportion to its value, to be ascertained as directed by law. The General Assembly shall have power to exempt from taxation, property actually used for church, school or charitable purposes. The General Assembly shall levy an income tax upon all persons pursuing any profession, occupation, trade or calling; and all such persons shall obtain a license as provided by law. All tax on income shall be pro rata on the amount of income or business done.

ART.—No profession, occupation, business or calling, requiring a license from any authority within the State, shall be carried on, exercised or followed by any other than citizens of the United States, or those having made legal declaration of becoming citizens.

ART.—The General Assembly shall provide by law for the establishment of a Poor-House, in each parish of the State, for the care of the destitute within their respective limits, and to be conducted as shall be provided by law.

ART.—All civil officers for the State at large shall be voters of and reside within the State; and all district or parish officers shall be voters of and reside within their respective parish or district, and shall keep their offices at such places therein as may be required by law.

ART.—The seat of Government shall be at the city of New Orleans. The General Assembly shall have power to dispose of the present Capitol property in Baton Rouge, and provide, by purchase or otherwise, suitable lands and buildings for a State Capitol in New Orleans.

Mr. Brott offered a resolution :

Resolved, That this Convention adjourn *sine die*, at 2 o'clock, p. m. on the 25th inst.

Mr. Hire offered the following :

Resolved, That after next Monday, this Convention hold an evening session, to commence at 6 o'clock p. m., to afford an opportunity for all members to address this Convention, without prolonging our session to an unnecessary length.

Mr. Millspaugh, on behalf of the Committee on Enrollment, reported as correctly enrolled the resolution relative to the publication of two thousand copies of the journal in English and French.

Mr. Wilson, chairman of the Committee on Assault of Members, reported progress.

Mr. Campbell offered the following :

Resolved, That the Committee on Assaulted Members be now discharged.

The order of the day was then taken up, but previous to any discussion, Mr. Abell moved to adjourn until 12 o'clock on Mon-

day, upon which question a division was called—ayes 51, nays 31; consequently the motion was carried, and the Convention adjourned.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

MONDAY, May 9th, 1864.

The Convention met at 12 o'clock m., and was called to order by the president.

The roll was called, and the following gentlemen answered to their names:

Messrs. Abell, Ariail, Bell, Bonzano, Buckley, Burke, Cook J. K., Crozat, Dufresne, Duke, Edwards, Ennis, Fish, Flagg, Geier, Goldman, Gruneberg, Healy, Hart, Heard, Henderson, Hills, Howes, Maas, Mann, Mayer, Millspaugh, Murphy M. W., Newell, Normand, O'Connor, Ong, Pintado, Pursell S., Schroeder, Schnurr, Seymour Shaw, Spellicy, Stocker, Stumpf, Stiner, Terry, Thorpe, Waters, Wenck, Wells, Wil-son and Mr. President—49 members present.

There being no quorum the sergeant-at-arms was directed to bring in absent members, and after some delay the following members took their seats, viz:

Messrs.—Austin Bailey, Barrett, Bofill, Brott, Campbell Collin, Cook T., Davies, Dupaty, Flood, Foley, Fosdick, Fuller, Gastinel, Gorlinski, Harnan, Hire, Maurer, Mendiverri, Montamat, Murphy E., Payne J., Purcell J., Smith, Stauffer, Taliaferro and Thomas—28 members.

The president announced that a quorum was present.

The minutes of yesterday were read and approved.

RESOLUTIONS.

Mr. S. Pursell offered the following:

Whereas, The notes issued by the city of New Orleans being the only currency now in circulation in this State fully entitled to the confidence of the people, (the currency of the United States excepted); and whereas, designing and bad men, traitors to their country and false to every obligation due to that generous magnanimity that permits them to remain under the protection of a good government, are using every means to depreciate the said notes of the city of New Orleans; therefore be it

Resolved, That any institution or person refusing to receive the said city issue, either on deposit or in payment, is unworthy the confidence of the people, and deserve the attention of the authorities competent to rectify such matters.

Resolved, That this Convention urgently

recommend and desire that all heads of departments, either civil or military, having power in the premises, do suppress any and all banks that may be in operation by sufferance, and failing in their duty in accordance with the exigency of the times.

Laid over under the rules, and, on motion of Mr. Stocker, ordered to be printed.

Mr. S. Pursell offered the following:

Whereas, In the fitting up of Liberty Hall for the use of this Convention, provision was made for the accommodation of an audience, and a portion of the same was specially appropriated for ladies, but which fact was not publicly made known; therefore be it

Resolved, That the ladies be and are hereby invited to attend the sessions of this Convention.

Rules suspended and resolution adopted.

Mr. Stumpf then presented the following:

Whereas, The object of this war on the part of the United States against the so-called Confederate States is first, to maintain the Union, to enforce the laws and uphold the Constitution of these United States and all acts of Congress made in pursuance thereto; and in doing this we must not be unmindful of those truly loyal citizens whose interest and whose only wealth consisted in that species of property which the war has destroyed, or rendered useless as property; be it, therefore,

Resolved, by this Convention, That all truly loyal citizens of Louisiana, who have taken the President's Amnesty Oath of Dec. 8, 1863, up to this date, be paid by the United States government a reasonable indemnity for each and every slave assessed in their name as property for the year 1861.

Laid over.

Mr. Thorpe, on behalf of the Committee on Assault of Members, submitted a written report which was received, and made the order of the day for Wednesday next, 11th inst.

Mr. Henderson called up his resolution rescinding the action of the House, in accepting Mr. Howell's resignation.

On the adoption of the resolution, a standing vote was taken resulting ayes 34, nays 40, but there being no quorum voting the yeas and nays were called for with the following result:

YEAS—Messrs. Ariail, Bailey, Barrett, Bonzano, Brott, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Davies, Duane, Dufresne, Duke, Ennis, Fosdick, Fuller, Gastinel, Goldman, Gorlinski, Harnan, Heard, Henderson, Hills, Hire, Howes, Knobloch,

Maas, Mann, Mendiverri, Millspaugh, Murphy E., Normand, Ong, Payne J., Seymour, Spellicy, Stocker, Stumpf, Stiner, Taliaferro, Thorpe, Waters, Wells and Wilson—45.

NAYS—Messrs. Abell, Bell, Bofill, Buckley, Burke, Collin, Crozat, Dupaty, Edwards, Flagg, Flood, Geier, Gruneberg, Healy, Hart, Maurer, Montamat, Murphy M. W., Mayer, Newell, O'Conner, Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Stauffer, Sullivan and Terry—29.

Consequently Mr. Henderson's motion prevailed, and was so announced by the president.

Mr. Montamat stated that no quorum had voted and moved to adjourn, upon which motion a division was ordered resulting as follows : ayes 34, nays 38.

No quorum voting a call of the house was ordered, when 75 members were found to be present, and there still being no quorum, Mr. Montamat again moved to adjourn, when the yeas and nays were ordered.

YEAS—Messrs. Abell, Ariail, Bailey, Bofill, Brott, Buckley, Burke, Collin, Cook J. K., Dufresne, Duke, Dupaty, Flagg, Fuller, Gastinel, Geier, Gruneberg, Harnan, Hart, Heard, Henderson, Howes, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., O'Conner, Purcell J., Schnurr, Seymour, Spellicy, Sullivan and Waters—36.

NAYS—Messrs. Barrett, Bell, Bonzano, Cazabat, Cook T., Crozat, Cutler, Davies, Duane, Edwards, Ennis, Flood, Fosdick, Goldman, Gorlinski, Healy, Hills, Hire, Mann, Millspaugh, Murphy E., Newell, Normand, Ong, Payne J., Pintado, Pursell S., Schroeder, Shaw, Smith, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Wells and Wilson—39.

Consequently the Convention refused to adjourn.

The Convention then resumed its action on the majority report of the Committee on Emancipation, which having been read was taken up section by section.

Mr. Wilson moved to amend the first section by adding in the third line, the words "and that loyal owners shall be compensated."

Mr. Goldman moved to lay the amendment on the table, upon which motion the yeas and nays were called.

YEAS—Messrs. Ariail, Austin, Bailey, Bonzano, Burke, Collin, Cazabat, Cook J. K., Cutler, Davies, Duane, Dupaty, Edwards,

Ennis, Fish, Flagg, Flood, Foley, Fosdick, Goldman, Gorlinski, Healy, Harnan, Hills, Hire, Howes, Maas, Mann, Millspaugh, Murphy E., Newell, Normand, Payne J., Pintado, Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stauffer, Taliaferro, Terry, Thorpe, Wells—45.

NAYS—Messrs. Abell, Barrett, Bell, Bofill, Brott, Buckley, Cook T., Crozat, Dufresne, Duke, Fuller, Gruneberg, Hart, Heard, Henderson, Knobloch, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., O'Conner, Ong, Seymour, Stocker, Stumpf, Stiner, Sullivan, Waters, Wilson—30.

Consequently, Mr. Wilson's amendment was laid on the table.

Mr. Montamat moved to adjourn, upon which the yeas and nays were ordered :

YEAS—Messrs. Abell, Bofill, Buckley, Burke, Collin, Cook J. K., Crozat, Dufresne, Duke, Dupaty, Fuller, Heard, Henderson, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., O'Conner, Ong, Schnurr, Seymour, Stocker, Stumpf, Sullivan, Waters—29.

NAYS—Messrs. Ariail, Austin, Bailey, Barrett, Bell, Bonzano, Brott, Cazabat, Cook T., Cutler, Davies, Ennis, Flagg, Flood, Foley, Fosdick, Goldman, Gorlinski, Healy, Harnan, Hart, Hills, Hire, Howes, Mann, Millspaugh, Murphy E., Newell, Normand, Payne J., Pintado, Pursell S., Schroeder, Shaw, Smith, Spellicy, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Wells and Wilson—43.

The Convention refused to adjourn.

There being no quorum the doors were ordered to be closed, and the sergeant-at-arms was dispatched for absent members.

After some delay a call of the house was ordered, and 78 members found to be present. The president announced a quorum present.

Mr. Stauffer called for the previous question, which, being seconded, the main question was ordered to be put by the house.

Mr. Campbell offered the following provisos to the first section, which were declared out of order by the president, the main question having been ordered:

Provided, That the same shall not go into effect until the year one thousand nine hundred, and that the State shall accept the proposition of the government of the United States made to the Slave States on that basis ;

Provided further, That all legislation hereafter had on the subject of slavery, shall look to the amelioration of the condition of the slaves, with a view to their final and complete emancipation on the first

day of January, in the year 1900 as *offered* by the government of the United States, through the president, and which offer (the basis of 1900,) we, the people of Louisiana, in convention assembled, do now accept.

On the motion to adopt the first section, the yeas and nays were ordered resulting as follows :

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Bell, Bonzano, Brott, Burke, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Maas, Mann, Millspaugh, Murphy E., Newell, Normand, O'Conner, Ong, Payne J., Pinfado, Purcell J., Purcell S., Schroeder, Shnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wells and Wilson—60.

NAYS—Messrs. Abell, Bofill, Buckley, Campbell, Collin, Dufresne, Duke, Gastinel, Heard, Knobloch, Maurer, Mayer, Mendi-verri, Montamat, Murphy M. W., Seymour, Sullivan and Waters—18.

Consequently the first section was adopted.

Mr. Montamat moved to adjourn, upon which motion the yeas and nays were ordered, resulting :

YEAS—Messrs. Abell, Buckley, Barrett, Bofill, Campbell, Collin, Cook J. K., Crozat, Dufresne, Duke, Flagg, Fuller, Gastinel, Hart, Heard, Knobloch, Maas, Maurer, Mayer, Mendi-verri, Millspaugh, Montamat, Murphy M. W., Ong, Seymour, Stumpf, Sullivan, Waters, and Wilson—29.

NAYS—Messrs. Ariail, Austin, Bailey, Bell, Bonzano, Brott, Burke, Cazabat, Cook T., Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Goldman, Gorlinski, Healy, Harnan, Henderson, Hills, Hire, Howes, Mann, Murphy E., Newell, Normand, O'Conner, Payne J., Pinfado, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas and Wells—49.

The second section being read, on a motion to adopt the same the yeas and nays were ordered, with the following result :

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Bell, Bonzano, Brott, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Maas, Mann, Millspaugh, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Pinfado, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker,

Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wells, Wilson—62.

NAYS—Messrs. Abell, Bofill, Buckley, Campbell, Dufresne, Duke, Gastinel, Heard, Knobloch, Maurer, Mayer, Mendi-verri, Montamat, Seymour, Sullivan, Waters—16.

Consequently, the second section was adopted.

The Convention then adjourned until 12 o'clock to-morrow.

Minutes adopted.

JOHN E. NEELIS,
Secretary.

TUESDAY, May 10th, 1864.

The Convention met pursuant to adjournment, and after prayer by the Rev. Mr. Strong, the roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bonzano, Burke, Collin, Cazabat, Cook J. K., Crozat, Decker, Duane, Dufresne, Duke, Edwards, Ennis, Fish, Flagg, Flood, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Heard, Hills, Hire, Kavanagh, Knobloch, Maas, Mann, Mayer, Mendi-verri, Millspaugh, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Poynot, Pursell S., Schroeder, Stauffer, Schnurr, Seymour, Spellicy, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thomas, Wells and Wilson—64.

There being no quorum present, the sergeant-at-arms was ordered to bring in absent members.

After some delay, Messrs. Bailey, Beauvais, Buckley, Cook T., Davies, Dupaty, Foley, Henderson, Morris, Murphy, Montamat, Maurer, Purcell J., Stocker and Thorpe, having taken their seats and answered to their names, the president declared a quorum present.

The minutes of yesterday were read and previous to their adoption, Mr. Campbell asked a suspension of the rules, in order that his provisos offered to first section of the majority report of the Committee on Emancipation, might be read.

The House having refused to suspend the rules, the minutes were adopted.

On motion of Mr. Hills, the names of the members who did not vote on the question of the rejection of the minority report of the Committee on Emancipation, were called, with a view to their voting on that

question, when Mr. Ong voted yea, and Mr. Schnurr voted nay.

Mr. Hills also asked that the roll of members who were absent and did not vote on the adoption of the first and second sections of the majority report of the Committee on Emancipation, be read.

The president put the question on the adoption of the first section, and the secretary called the roll, with the following result :

Messrs. Baum, Beauvais, Geier, Kavanagh, Morris, Orr, Poynot and Wenck—8 voted yea.

Messrs. Balch and Decker, voted nay.

The president then put the question on the adoption of the second section of the majority report of the Committee on Emancipation, in order that said members should record their votes thereon, when the secretary called the roll, and the following members voted yea :

Messrs. Baum, Beauvais, Geier, Kavanagh, Morris, Orr, Poynot, Wenck—8.

Messrs. Balch and Decker voted nay.

Mr. Gorlinski, chairman of the Committee on Internal Improvements, submitted a written report.

Mr. Campbell, also of the Committee on Internal Improvements, submitted a minority report.

On motion of Mr. Hills, the reports were received and ordered to be printed, and taken up in their regular order.

Mr. Stocker, chairman of Special Committee on Absent Members, stated that the members whose names had been referred to the committee were all present excepting one, and that the committee were not yet prepared to report regarding him.

Mr. Stumpf called up his resolution of yesterday, which was read.

Mr. Hire moved to refer it to the Committee on Emancipation, but that committee being declared an improper one, for the question, no action was taken on the motion.

Mr. Cazabat offered the following resolution as a substitute for that of Mr. Stumpf.

Resolved, That a committee of five be appointed by the president of this Convention, to draw appropriate resolutions expressing and recommending to the President and Congress of the United States the justice and equity of making such appro-

priations as may be deemed proper and right for a fair compensation to loyal citizens of Louisiana for the loss of their property upon such terms, conditions and proof as may be required.

Mr. Abell moved to amend Mr. Cazabat's substitute by adding a proviso, restraining the effect of the emancipation clause in the constitution until compensation shall have been made for the slaves affected thereby.

Which amendment was declared not in order, for the reason that it required an impossibility.

The substitute offered by Mr. Cazabat was then taken up and adopted.

The resolution offered by Mr. S. Pursell on yesterday, was then taken up, and, on motion of Mr. Stauffer, was referred to a special committee of five.

Mr. Thorpe offered the following :

Resolved, That the chairman of the Committee on Enrollment be permitted to add the words, "and debates," to the resolution calling for the printing of 200 copies of the journals.

A motion to suspend the rules for the purpose of taking up the resolution, was lost.

Mr. Abell gave notice that he would offer amendments to the several remaining articles of the report of the Committee on Emancipation.

The report of the Committee on Emancipation being unfinished business, was next taken up.

Mr. Abell offered the following proviso to section 3d :

Provided always, That the Legislature shall never pass any act authorizing free negroes to vote, or to immigrate into this State under any pretence whatever.

Mr. Foley moved a division of the proviso. Carried.

The first division, "*Providing always*, That the Legislature shall never pass any act authorizing free negroes to vote," was stated to the Convention. A motion to lay it on the table was lost upon the following vote :

YEAS—Messrs. Ariail, Austin, Bennie, Bonzano, Collin, Cazabat, Cook J. K., Davies, Dupaty, Ennis, Flagg, Flood, Fosdick, Goldman, Gorlinski, Hills, Hire, Maas, Newell, Pintado, Schroeder, Shaw, Stauffer, Taliaferro, Thorpe and Wells—26.

NAYS—Messrs. Abell, Bailey, Barrett,

Baum, Beauvais, Bell, Bofill, Buckley, Burke, Cook T., Crozat, Decker, Duane, Dufresne, Duke, Edwards, Fish, Foley, Gastinel, Geier, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Kavanagh, Knobloch, Mann, Maurer, Mayer, Mendiverri, Millsbaugh, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Poynot, Purcell J., Pursell S., Schnurr, Seymour, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thomas, Wenck and Wilson—55.

The question then recurred upon the adoption of the first clause of the proviso, when the vote was taken with the following result :

YEAS—Messrs. Abell, Ariail, Bailey, Barrett, Baum, Bennie, Beauvais, Bell, Bofill, Bonzano, Brott, Buckley, Burke, Cutler, Campbell, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Duke, Edwards, Ennis, Fish, Flood, Foley, Fuller, Gastinel, Geier, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Kugler, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Mendiverri, Millsbaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Wenck, Waters, Wells and Wilson—68.

NAYS—Messrs. Austin, Bennie, Collin, Cazabat, Dupaty, Flagg, Fosdick, Goldman, Gorlinski, Hills, Hire, Pintado, Shaw, Smith, Thorpe—15.

Consequently, the first clause of the proviso was adopted.

Mr. Duane moved to lay the second clause of the proviso on the table, upon which motion the yeas and nays were called, and the vote taken as follows :

YEAS—Messrs. Ariail, Bailey, Bennie, Bonzano, Brott, Burke, Collin, Cazabat, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Fosdick, Geier, Goldman, Gorlinski, Hart, Henderson, Hills, Hire, Maas, Mann, Morris, Murphy E., Normand, Payne J., Pintado, Poynot, Pursell S., Shaw, Smith, Spellicy, Stiner, Stauffer, Terry, Thorpe—40.

NAYS—Messrs. Abell, Austin, Baum, Barrett, Beauvais, Bell, Bofill, Buckley, Cook J. K., Cook T., Crozat, Decker, Dufresne, Duke, Foley, Gastinel, Harnan, Healy, Heard, Kavanagh, Knobloch, Maurer, Mayer, Mendiverri, Millsbaugh, Montamat, Murphy M. W., O'Conner, Ong, Orr, Purcell J., Schnurr, Seymour, Stocker, Stumpf, Sullivan, Thomas, Waters, Wenck, Wilson—40.

There being a tie vote, the president voted

in the negative, consequently the motion to lay on the table was lost.

Pending discussion on the adoption of the second clause of the proviso, the Convention adjourned until 12 o'clock to-morrow.

Adopted.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, May 11th, 1864.

The Convention met at 12 o'clock m., and the proceedings were opened with prayer by the Rev. Mr. Andrews.

The roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Davies, Decker, Duane, Dufresne, Duke, Edwards, Flagg, Flood, Fosdick, Gastinel, Goldman, Geier, Gorlinski, Gruneberg, Healy, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Mayer, Millsbaugh, Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Pursell S., Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Waters and Wenck—62.

There not being a quorum present the sergeant-at-arms was directed to procure the attendance of absent members.

Messrs. Barrett, Baum, Fish, Foley, Fuller, Mendiverri, Montamat, Orr, Poynot, Purcell J., Schroeder, Stocker, Sullivan, Thorpe, Thomas and Wells—16, having taken their seats, the president announced that a quorum was present.

The minutes of yesterday were read and their adoption suspended for the purpose of allowing several gentlemen to record their votes, as follows :

On the adoption of first clause of Mr. Abell's proviso to the 3d section of the majority report of the Committee on Emancipation. Messrs. Campbell, Bennie, Cutler, Fuller, Paine J. T. and Waters, voted yea. Mr. Kugler voted nay.

On the second clause of the same proviso. Messrs. Paine J. T. and Campbell voted yea, and Mr. Gruneberg voted nay.

On the adoption of the first and second article of the majority report of the Committee on Emancipation, Mr. Kugler voted yea.

Mr. Heard rose to a question of privilege

and read an article from the morning's Era, containing some strictures against the members who voted against the majority report of the Committee on Emancipation, against which he protested and read some remarks of his own expressive of his opinion that the Convention should be dictated to by no one.

On the committee, under Mr. Cazabat's resolution relative to compensation to loyal persons for loss of property, the president appointed Messrs. Cazabat, Wells, Fosdick, Abell and Taliaferro.

Mr. Thorpe called up his resolution of yesterday allowing him to amend his former resolution relative to the publication of two thousand copies of the journals in French and English, by adding the words "and debates."

Mr. Abell moved to amend the resolution by inserting "five thousand," instead of two thousand.

Mr. Edwards moved to lay the amendment on the table. Lost.

Mr. Abell's amendment was then adopted.

The question then recurred upon the adoption of the resolution as amended, which was carried and the resolution adopted.

The report of the Committee on Emancipation being unfinished business, was taken up.

Mr. Stauffer moved to strike out entirely the 3d section with the amendments thereto.

Messrs. Bonzano and Thomas moved to amend Mr. Stauffer's motion by adding 4th and 5th sections, which amendments were accepted.

Mr. Stocker called Mr. Stauffer to order, as he thought it was a motion to strike out something not before the House, the pending question being on the adoption of the second clause of Mr. Abell's proviso to the 3d section:

The president decided that Mr. Stauffer was in order.

Mr. Abell moved to lay the motion to strike out on the table, upon which the yeas and nays were ordered, resulting as follows:

YEAS—Messrs. Abell, Barrett, Bofill, Buckley, Campbell, Crozat, Decker, Dufresne, Duke, Edwards, Gastinel, Gruneberg, Heard, Kugler, Mann, Maurer, Mayer, Mendi-verri, Montamat, Murphy M. W., Normand, Payne J., Stocker, Stumpf, Sullivan—25.

NAYS—Messrs. Ariail, Austin, Bailey, Beauvais, Bell, Bennie, Bonzano, Bromley, Burke, Collin, Cook J. K., Cook T., Cutler, Davies, Duane, Dupaty, Flood, Foley, Fosdick, Fuller, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Maas, Millsbaugh, Murphy E., Newell, O'Conner, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith Spellicy, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—55

The previous question was then called for by Mr. Austin, and, upon a division was carried, and the main question was then put:

Shall the 3d, 4th and 5th articles of the report of the Committee on Emancipation be stricken out?

The yeas and nays being ordered, the vote was as follows:

YEAS—Messrs. Ariail, Austin, Bailey, Beauvais, Bell, Bennie, Bonzano, Bromley, Burke, Collin, Cook J. K., Cook T., Cutler, Davies, Duane, Dupaty, Fish, Flood, Foley, Fosdick, Fuller, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Maas, Mann, Millsbaugh, Morris, Murphy E., Newell, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—60.

NAYS—Messrs. Abell, Barrett, Bofill, Buckley, Crozat, Decker, Dufresne, Duke, Edwards, Flagg, Gastinel, Gruneberg, Heard, Kugler, Maurer, Mayer, Mendi-verri, Montamat, Morris, Murphy M. W., Normand, Ong, Pursell S., Sullivan—24.

Consequently the motion was carried, and the second reading completed.

The special order of the day, viz: the report of the Committee on Assault of Members, being next in order, was, on motion of Mr. Thorpe, laid over until Monday, 16th instant.

Mr. Bonzano moved to suspend the rules in order to take up the report of the Committee on Emancipation, on its third reading.

On a division, there being no quorum voting, a call of the House was ordered, and 85 members answered to their names.

Mr. Campbell moved to recommit the whole matter relative to emancipation to a select committee of — members, to be chosen by the House.

The president declared Mr. Campbell out of order.

Messrs. Thorpe and Henderson renewed Mr. Bonzano's motion to suspend the rules for the purpose of putting the report of the Committee on Emancipation on its third reading, upon which motion the yeas and nays were ordered, and the following vote was taken :

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Fish, Flagg, Flood, Foley, Fossdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Harnan, Hart, Healy, Henderson, Hills, Hire, Howes, Kugler, Maas, Mann, Mayer, Millspaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—72.

NAYS—Messrs. Abell, Buckley, Campbell, Decker, Dufresne, Duke, Gruneberg, Heard, Maurer, Mendiverri, Ong, Sullivan—12.

The rules being suspended the report was then taken up and read by the secretary.

Messrs. Abell and Campbell offered amendments to the report, but were declared out of order.

The previous question was called for by Mr. Bonzano and ordered.

The main question was then put. Shall the report of the Committee on Emancipation be adopted, viz. :

Section 1. *Slavery and Involuntary Servitude*, except as a punishment for crime, whereof the party shall have been duly convicted, are hereby forever **ABOLISHED AND PROHIBITED** throughout the State.

Sec. 2. The Legislature shall make no law recognizing the **RIGHT OF PROPERTY IN MAN**.

The vote was as follows :

YEAS—Messrs. Ariail, Austin, Barrett, Beauvais, Bofill, Bell, Bennie, Bonzano, Bromley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Fish, Flagg, Flood, Foley, Fossdick, Fuller, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Kugler, Maas, Mann, Millspaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Sullivan, Shaw, Smith, Spellicy, Stocker,

Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson, and Mr. President—72.

NAYS—Messrs. Abell, Buckley, Campbell, Decker, Dufresne, Duke, Gastinel, Gruneberg, Heard, Maurer, Mayer, Mendiverri, Waters—13.

On motion of Mr. Thomas the Convention adjourned until 12 o'clock to-morrow.

Approved.

JOHN E. NEELIS,

Secretary.

THURSDAY, May 12th, 1864.

The Convention met pursuant to adjournment, and, after prayer by the Rev. Mr. Andrews, the roll was called and the following members answered to their names :

MESSRS. Ariail, Bennie, Bonzano, Bofill, Burke, Collin, Crozat, Decker, Dufresne, Duke, Edwards, Ennis, Gorlinski, Heard, Howes, Kugler, Millspaugh, Murphy M. W., Newell, Normand, O'Conner, Pintado, Pursell S., Shaw, Spellicy, Stumpf, Stiner, Sullivan, Taliaferro, Thorpe, Thomas, Wells and Wilson—33.

After some delay the following members entered the hall and took their seats :

MESSRS. Abell, Austin, Bailey, Barrett, Bell, Bromley, Beauvais, Buckley, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Fish, Flagg, Flood, Foley, Fossdick, Gastinel, Geier, Goldman, Gruneberg, Healy, Harnan, Hart, Hills, Hire, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Poynot, Purcell J., Schroeder, Schnurr, Smith, Stauffer, Waters and Wenck—43.

The president announced that there was a quorum. The minutes of yesterday were read, and, previous to the adoption, Messrs. Bofill and Sullivan were allowed to change their vote from nay to yea, on the adoption of the majority report of the Committee on Emancipation.

The minutes were accordingly amended and adopted.

The following gentlemen having been absent at the time the vote was taken on the adoption of the 1st and 2d sections of the majority report of the Committee on Emancipation, were to-day called upon to record their votes, thereon, viz. : Messrs. Cazabat and Ennis, both of whom voted yes.

Mr. Bennie was called upon to record his

vote on the motion to reject the minority report of the Committee on Emancipation. He voted yes.

Mr. Wilson moved to adjourn until Monday next. Lost.

Mr. Abell asked to be excused from serving on the committee appointed under Mr. Cazabat's resolution relative to correspondence with the authorities of the government at Washington for reasons which he stated to the Convention. On motion of Mr. Bonzano, Mr. Abell was excused, and the President then appointed Mr. Ariail on said committee.

Mr. Heard, chairman of the Committee on Preamble, submitted a report on the substitute (for preamble) offered by Mr. Cazabat.

On motion of Mr. Hills, the report was accepted and the committee discharged.

Mr. Thorpe, chairman of the Committee on Enrollment, reported as correctly enrolled.

1. An ordinance to abolish slavery and involuntary servitude.

2. A resolution relative to printing five thousand copies of the journal and debates.

Mr. Thomas called attention to the omission of the words "in the year of our Lord," and "sitting," in the ordinance abolishing slavery, and moved to refer it back to the Committee on Enrollment, which motion was carried.

The resolution as enrolled was received, and on motion of Mr. Bell, the president was requested to affix his signature thereto.

The president appointed on the committee raised by Mr. Pursell's resolution relative to city currency, Messrs. Pursell, Fosdick, Stauffer, Bonzano and Brott.

The president laid before the Convention a communication from Dr. A. P. Dostie, state auditor, containing a statement showing the receipts and expenditures of the treasury during the administration of Brig. Gen. G. F. Shepley, late military governor of the State.

Mr. Austin moved to refer the matter to a select committee of five, to be appointed by the president. Carried.

The president appointed on said committee, Messrs. Austin, Thomas, Fish, Wells and Beauvais.

On motion of Mr. Mendiverri, one thousand (1000) copies were ordered to be printed.

Mr. Hills wished to know if the reports of the Committees on Preamble and Distribution of Powers had been finally adopted.

Upon a reference to the minutes, it was ascertained that those reports had only passed their second reading, consequently they came up for a third reading.

The report of the Committee on Preamble was then read, with a view to its final adoption, the rules having been suspended on motion of Mr. Mann for that purpose.

Mr. Cutler thought the words "and we recommend its adoption," unnecessary.

The president replied that it was a part of the report and not of the preamble.

Mr. Henderson moved the previous question, which being ordered, the main question was put. The yeas and nays were ordered, with the following result:

YEAS—Messrs. Abell, Ariail, Austin, Barrett, Bailey, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Decker, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Healy, Heard, Henderson, Hills, Hire, Howes, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Thorpe, Thomas, Waters, Wells, Wenck, Wilson—79.

NAYS—None.

The report of the Committee on the Distribution of Powers, was then taken up and passed its second reading.

On motion of Mr. Henderson the rules were suspended, and the report put upon its third reading.

Mr. Hills moved that it be adopted and enrolled as title 1st and art. 1, and 2 of the Constitution.

The question was then put on the final adoption of the report, and carried by the following vote:

Yeas—Messrs. Abell, Ariail, Austin, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Decker, Dufresne, Duke, Dupaty, Ed-

wards, Ennis, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Grunenberg, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Connor, Pintado, Poynot, Purcell J., Purcell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Thorpe, Thomas, Waters, Wenck, Wells and Wilson—76.

On motion of Mr. Hills, the numbering and arrangement of the different parts of the Constitution were ordered to be postponed until the whole shall have been adopted.

On motion of Mr. Abell, the report of the Committee on Legislative Department was fixed for its second reading on Tuesday, May 17th, at 1 o'clock P. M.

The Convention then adjourned until Tuesday next, May 17th, at 12 o'clock M. Approved.

JOHN E. NEELIS,
Secretary.

TUESDAY, May 17th, 1864.

The Convention met at 12 o'clock M., pursuant to adjournment.

The roll was called and the following members answered to their names:

Messrs. Abell, Ariail, Balch, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Burke, Cook T., Crozat, Davis, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Fosdick, Geier, Goldman, Gorlinski, Hart, Henderson, Hills, Howes, Kugler, Maas, Mann, Mayer, Millspaugh, Montague, Murphy M. W., Newell, Normand, Pintado, Purcell J., Purcell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Taliaferro, Terry, Thorpe, Wenck, Wells, Wilson, and Mr. President—54. No quorum.

The sergeant-at-arms was directed to procure the attendance of absent members.

The following gentlemen having taken their seats, viz: Messrs. Austin, Bailey, Baum, Bromley, Buckley, Campbell, Cazabat, Cook J. K., Cutler, Dupaty, Fuller, Healy, Howell, Maurer, Mendiverri, Montamat, Morris, O'Conner, Ong, Orr, Poynot, Stocker, Stauffer, Sullivan and Thomas, 25 members, the president announced a quorum present.

The minutes of Thursday, 12th inst., were read and approved.

Messrs. Montague, Seymour and Howell, having been absent at the time the vote was taken on the reports of the Committee on Emancipation, desired to record their votes thereon.

On the motion to reject the minority report each of them voted "yes."

On the adoption of the majority report as passed, each of them voted "yes."

Mr. John Purcell offered the following resolution:

Resolved, That all bills of the official printer of this Convention, be audited and approved by the Committee on Printing, the Committee on Finance, and the Committee on Expenses, in accordance with the rates fixed by the Convention, before payment, and that all bills so audited and approved be paid upon the warrant of the president upon the treasurer of the State out of any moneys not otherwise appropriated.

The rules were suspended and the resolution adopted.

Mr. Henderson offered the following preamble and resolutions:

Whereas, It has been the invariable custom of every Legislature of the State to make liberal appropriations from the general fund for the support and relief of all incorporated charitable institutions, and in respect to which she is second to no State in the Union, whether numbers, variety or extent of the field of charitable labor is considered; *and, whereas*, the Legislature of 1860 did make appropriations as follows under that head, to-wit:

For the Orphans' Home, in New Orleans.....	\$1500
For the St. Mary's Catholic Orphan Boys' Asylum in New Orleans,.....	4000
For the Female Orphan Asylum, Camp Street.....	4000
For the House of the Good Shepherd.....	250
For the Jewish Widows' and Orphans' Asylum.....	500
For the St. Joseph Catholic Orphan Asylum.....	1500
For the St. Elizabeth House of Industry.....	1000
For the Society for the relief of the Orphan Boys, Fourth District,...	1000
For the Institution for Indigent Colored Boys, Third District.....	1000
For the Ladies of Providence, Third District.....	750
For St. Anna's Asylum for Destitute Widows and Children.....	1500
For the Children's Home of the Protestant Episcopal Church...	500
For the Catholic Institute of Destitute Orphans.....	750

For the Catholic Benevolent Association, Baton Rouge,.....	250
For the Female Orphan Asylum, Baton Rouge,.....	500
For the St. Vincent Orphan Asylum, Donaldsonville,.....	500
For the Wilne Asylum, New Orleans,.....	500

Total,.....\$20,000

And, whereas, In consequence of the calamities, growing out of the rebellious war now prevailing, which has not only dried up to a great extent the sources of private benevolence and diminished their revenues to almost nothing, but has been the means of greatly increasing their burthens by the addition it has made to the list of orphans, indigent widows, and the destitute of all classes who stand in the need of charity, so that the worthy, patient and self-sacrificing sisters and managers of these heavenly endowed institutions are reduced to the greatest distress to provide food and raiment for the thousands of helpless beings under their charge; and were it not for the bounty of the Federal Government, through its officers of this department, in donating them daily army rations for their support, many of them would be compelled to close their doors; be it therefore

Resolved, That the sum of \$20,000 be and is hereby appropriated from the general fund for the support and relief of the charitable institutions as named in the foregoing schedule, to be divided according to the amounts therein stated, and to be paid in the usual manner, by warrants from the auditor on the treasurer, in favor of the managers and authorized agents of said institutions.

Laid over until to-morrow.

Mr. Foley presented the following:

Whereas, Several members of the Louisiana Constitutional Convention have been elected as delegates to Baltimore; *and, whereas,* it is vitally important to the interests of Louisiana that the Convention should complete its work without adjournment, therefore

Be it resolved, That the members of this Convention, who are elected to the Baltimore Convention, and who choose to go there, shall resign their seats in this Convention immediately, and the governor be requested to issue his proclamation for an election to fill the vacancies in the different Parishes and Representative Districts so vacated.

Laid over.

Mr. Thomas moved the adoption of the report of the Committee on Printing, which motion was carried and the report adopted.

Mr. Montamat, submitted the following

report of the Committee of Finance which was then adopted.

REPORT OF THE FINANCE COMMITTEE OF THE CONSTITUTIONAL CONVENTION OF THE FUNDS FOR THE PAYMENT OF PER DIEM OF MEMBERS AND SALARIES OF OFFICERS.

May 9, 1864, paid warrant No. 27.	\$2,930 00
" 9, " " " " 28.	405 00
" 10, " " " " 29.	696 00
" 10, " " " " 30.	3,500 00
" 14, " " " " 31.	2,520 00
" 14, " " " " 32.	1,275 00
" 15, " " " " 34.	1,420 00

\$12,764 00

May 17—Balance on hand this day.....\$55,485 40

\$68,231 40

REPORT ON THE FUNDS FOR CONTINGENT EXPENSES.

May 15, 1864, paid warrant No. 33 to Mr. DeCoursey, as per voucher No. 4.....	\$ 1,747 37
May 17, 1864, balance on hand to date.....	9,585 48

\$11,332 85

The order of the day was then taken up—viz: the report of the Committee on Legislative Department, and was read section by section.

On the adoption of the first article, the yeas and nays were called with the following result:

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Healy, Hart Henderson, Hills, Hire, Howell, Howes, Kugler, Maas, Maurer, Mayer, Mendiverri, Millsbaugh, Montamat, Montague, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—78.

NAYS—None.

The second article was then taken up.

Mr. Howell moved to suspend the rules, requesting the yeas and nays to be taken, but the House refused to suspend the rules, and the second article was then adopted by the following vote:

YEAS—Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Cutler, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Healy, Hart, Hills, Hire, Howell, Howes, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—76.

NAYS—None.

Article third was then taken up and read.

Mr. Montamat moved to strike out the word "first" in the third line, and insert the word "third."

Mr. Montague moved to amend by striking out "first Monday in January" in the third line, inserting "first Monday in December," which was lost on a division—ayes 23; nays 51.

A division was then called upon Mr. Montamat's amendment—ayes 22; nays 51. Lost.

Mr. Stocker moved to strike out the words "unless a different day be appointed by law" in the fourth line, which motion was laid on the table.

Mr. Morris moved to amend the first line, by inserting after the word "on" the words "Tuesday after." Laid on the table.

The question then recurred on the adoption of the third article as reported, and the yeas and nays were called with the following result :

YEAS—Messrs. Ariail, Austin, Bailey, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Grolinski, Goldman, Gruneberg, Hart, Henderson, Hills, Hire, Howell, Howes, Kugler, Maas, Mann, Mayer, Mendiverri, Millspaugh, Montague, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—72.

NAYS—Messrs. Abell, Barrett, Maurer, Montamat, Purcell J., Pursell S.—6.

Mr. Abell offered the following amendment to art. 6 :

Every qualified elector who shall have

attained twenty-four years of age shall be eligible to a seat as representative in the General Assembly, and every qualified elector who shall have attained twenty-eight years of age shall be eligible to a seat in the Senate ; provided, that no person shall be a representative or senator unless he be, at the time of his election, a duly qualified voter of the Representative or Senatorial District from which he is elected.

Laid on the table.

On the adoption of the 4th article, as reported, the following vote was taken :

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Grolinski, Hart, Healy, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montague, Morris, Newell, Normand, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stiner, Stocker, Stumpf, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—72.

NAYS—Messrs. Abell, Campbell, Gastinel, Montamat, Murphy M. W., O'Conner, Sullivan—7.

Article 5th was adopted upon the following vote :

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Grolinski, Goldman, Gruneberg, Hart, Henderson, Hills, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Wells, Wilson—80.

NAYS—None.

Article 6th was then taken up and read.

Mr. Abell moved to amend by striking out the words "qualified electors," in the third line, and inserting the words "total population," which amendment was laid on the table.

Mr. Abell then moved to amend by striking out the words "number of electors," in the fifth line, and inserting the words "total population." Laid on the table.

Mr. Abell also offered the same amendment to the eighth line. Lost.

Mr. Abell moved to strike out all after the word "district," in the sixteenth line to the close of the eighteenth line, as superfluous. Lost.

Mr. Abell also moved to amend by striking out the words "qualified electors," in the twenty-first line, and inserting "total population," which motion was laid on the table.

Mr. Abell also moved to strike out the word "the," in the twenty-third line, and insert "its," which, on motion of Mr. Hills, was laid on the table.

Mr. Abell also moved to strike out in the twenty-fourth line the words "number of electors," and insert the word "population," which motion was also laid on the table.

Mr. Abell also moved to strike out the figure "3" opposite the words "fifth district," fixing the number of representatives for that district, and insert the figure "5," whereupon a discussion arose relative to the proper apportionment and basis of representation, pending which, on motion of Messrs. Hills and S. Pursell, the secretary was directed to procure the returns of the late elections in this State, in order that the same might be laid before the Convention on to-morrow.

Mr. Howell moved to adjourn until 7½ o'clock this evening. Lost.

The Convention then adjourned until 12 o'clock to-morrow.

Adopted.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, May 18, 1864.

The Convention met pursuant to adjournment. The roll was called, and the following gentlemen answered to their names :

Messrs. Abell, Ariail, Balch, Barrett, Baum, Bell, Bennie, Bofill, Bonzano, Burke, Campbell, Duane, Dufrense, Dupaty, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Geier, Goldman, Gruneberg, Gaidry, Henderson, Howell, Howes, Kavanagh, Mass, Mann, Mayer, Montague, Murphy M. W., Newell, Normand, O'Conner, Pintado, Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Waters, Wells, Wilson and Mr. President—52.

There being no quorum present, the sergeant-at-arms was directed to bring in absent members.

After some delay, the following gentlemen having entered and taken their seats, viz : Messrs. Austin, Bromley, Buckley, Cook J. K., Crozat, Decker, Flagg, Fuller, Gastinel, Healy, Hart, Hills, Hire, Knobloch, Kugler, Mendiverri, Millsbaugh, Montamat Morris, Orr, Paine J. T., Poynot, Purcell J., Stocker, Sullivan, Thorpe and Thomas—27, the president announced that there was a quorum present.

The minutes of yesterday were read, corrected and adopted.

Mr. Hills offered the following :

Whereas, The absence of a few members of this Convention at the first roll-call, seriously interrupts and retards its business, frequently delaying the commencement of the session for a whole hour after the time fixed for meeting ; therefore

Resolved, That any member, who is absent without leave or satisfactory excuse, at the 12 o'clock roll-call shall forfeit his per diem allowance for every day of such absence.

Mr. Foley moved to suspend the rules to take up Mr. Hills's resolution, which being refused, the resolution was laid over.

Mr. Wilson offered the following :

Whereas, The Convention has now performed the heaviest part of the labor for which it was called together ; therefore be it

Resolved, That it do adjourn *sine die* on the first day of June ; and that evening sessions be held daily (Sundays excepted) to the date of adjournment.

Mr. S. Pursell offered the following :

Resolved, That this Convention meet at 11 o'clock A. M., instead of 12.

Mr. Bonzano presented the following :

Whereas, The public interest requires that this Convention should not be interrupted in its business without sufficient cause ;

Resolved, That no motion for an adjournment for a longer time than twenty-four hours shall be put to question unless it be seconded by a majority of the members present, and if so seconded the yeas and shall be called.

Judge Howell proffered the following :

Resolved, That the secretary be instructed to collect and collate all motions and resolutions heretofore adopted, as bearing upon the mode of conducting the business, or amending the rules and regulations of this Convention, and report to-morrow.

Mr. Cazabat moved to suspend the rules in order to take up Mr. Howell's resolution, which motion being lost, the resolution was laid over.

There being no report from committees, the unfinished business was taken up.

Mr. Henderson called up his resolution of yesterday, which was read by the secretary.

Mr. Campbell offered the following amendment:

Provided, A like sum of \$20,000 be and is hereby appropriated for the relief of the destitute widows and orphans of the soldiers in the First and Second Louisiana Infantry, First and Second Louisiana Cavalry, and First and Second New Orleans Volunteers.

On motion of Mr. Henderson Mr. Campbell's amendment was laid on the table.

Mr. Montamat moved to lay Mr. Henderson's resolution on the table, whereupon the yeas and nays were called, with the following result:

YEAS—Messrs. Abell, Austin, Baum, Beauvais, Bennie, Bromley, Brott, Burke, Campbell, Cazabat, Decker, Dupaty, Edwards, Ennis, Flagg, Gruneberg, Gaidry, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Mayer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Newell, Normand, Paine J. T., Pintado, Pursell S., Seymour, Stauffer, Thomas—38.

NAYS—Messrs. Balch, Barrett, Bell, Bofill, Bonzano, Buckley, Cook J. K., Cook T., Crozat, Duane, Dufresne, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Henderson, Howes, Kavanagh, Murphy E., Murphy M. W., O'Conner, Orr, Poynot, Purcell J., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wilson—47.

Consequently the Convention refused to lay the resolution on the table.

Mr. Hills offered a substitute for the resolution, which was ruled out of order.

Mr. Bonzano offered the following amendment, to be included:

Children's Home, Moreau street, 54 children, \$500.

Mr. Thorpe offered the following amendment:

St. Vincent's Orphan Asylum, corner of Race and Magazine streets, \$500.

Both of which amendments were accepted.

Mr. Montamat moved to further amend by adding the words:

To the Firemen's Charitable Association, \$5000.

The yeas and nays were ordered upon the question of the adoption of Mr. Montamat's amendment, resulting as follows:

YEAS—Messrs. Abell, Austin, Balch, Baum, Beauvais, Bell, Bofill, Bromley, Brott, Buckley, Campbell, Cook T., Crozat, Ennis, Fish, Flagg, Foley, Fuller, Geier, Goldman, Gruneberg, Knobloch, Mayer, Mendiverri, Montamat, Montague, Morris, Murphy M. W., O'Conner, Orr, Purcell J., Seymour, Shaw, Spellicy, Stocker, Stumpf, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Waters, Wilson—43.

NAYS—Messrs. Ariail, Barrett, Bennie, Bonzano, Burke, Cook J. K., Cutler, Decker, Duane, Dufresne, Edwards, Flood, Fosdick, Gastinel, Gorlinski, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Kugler, Maas, Mann, Millspaugh, Murphy E., Newell, Normand, Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Schnurr, Smith, Stiner, Thorpe, Wells—42.

Consequently the amendment was adopted.

Mr. Campbell asked to be excused from voting on Mr. Montamat's amendment, which request was refused by the Convention.

Mr. Campbell offered the following amendment:

Provided, The destitute widows and orphans of the soldiers who have lost their lives in battle, be included.

Which amendment was rejected.

On the adoption of the original resolution, as amended, the yeas and nays were called, and being ordered, Messrs. Barrett, Bell, Bofill, Bonzano, Buckley, Cook T., Crozat, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Gruneberg, Healy, Harnan, Hart, Henderson, Kavanagh, Montamat, Murphy M. W., O'Conner, Orr, Purcell J., Schroeder, Schnurr, Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wilson—38 voted yea.

NAYS—Messrs. Abell, Ariail, Austin, Baum, Beauvais, Bennie, Bromley, Burke, Campbell, Cazabat, Cook J. K., Cutler, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Flagg, Fosdick, Fuller, Gastinel, Goldman, Gorlinski, Gaidry, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Mayer, Mendiverri, Millspaugh, Montague, Morris, Murphy E., Newell, Normand, Ong, Paine J. T., Pintado, Poynot, Pursell S., Seymour, Smith, Stauffer, Thomas, Wells—51.

Consequently the resolution as amended was rejected.

Mr. Foley called up his resolution of yesterday, relative to members of this Convention who are delegates to the Baltimore Convention.

On the motion to lay the resolution on the table, a rising vote was taken, when the president decided the motion carried.

Mr. Stiner moved a re-consideration of the foregoing vote, which was ordered by the Convention, and on the motion to lay the resolution on the table the yeas and nays were ordered, and being taken resulted as follows :

YEAS — Messrs. Austin, Barrett, Baum, Beauvais, Bennie, Bofill, Bromley, Burke, Cook J. K., Cutler, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Fuller, Gastinel, Gaidry, Geier, Goldman, Hart, Hire, Howell, Kavanagh, Kugler, Maas, Mann, Menderverri, Millspaugh, Montamat, Montague, Morris, Newell, Ong, Orr, Paine J. T., Pintado, Purcell J., Pursell S., Seymour, Shaw, Spellicy, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Waters, Wells, Wilson—53.

NAYS—Messrs. Abell, Ariail, Bell, Bromley, Buckley, Campbell, Cazabat, Cook T., Flood, Foley, Fosdick, Gorlinski, Gruneberg, Harnan, Healy, Hills, Howes, Knobloch, Mayer, Murphy E., Murphy M. W., Normand, O'Conner, Schroeder, Schnurr, Smith, Stocker, Stumpf, Stiner, Thorpe—30.

ORDER OF THE DAY.

The Convention then resumed the consideration of the report of the Committee on Legislative Department.

Mr. S. Pursell moved to strike out of the eighty-sixth and eighty-seventh lines the words "and able to read and write."

On this motion the yeas and nays were ordered.

YEAS—Messrs. Abell, Ariail, Austin, Barrett, Balch, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Decker, Dufresne, Duane, Dupaty, Edwards, Ennis, Fish, Flood, Foley, Fuller, Gastinel, Gaidry, Geier, Gorlinski, Gruneberg, Harnan, Hart, Healy, Henderson, Howell, Howes, Knobloch, Kugler, Maas, Mann, Mayer, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Waters, Wilson—71.

NAYS—Messrs. Flagg, Fosdick, Goldman, Hills, Hire, Seymour, Shaw, Thorpe, Wells—9.

Consequently the motion prevailed.

Mr. Montamat moved to adjourn, on which motion the yeas and nays were ordered.

11

YEAS—Messrs. Abell, Balch, Burke, Cook J. K., Dufresne, Dupaty, Gruneberg, Knobloch, Montamat, Murphy M. W., O'Conner, Stumpf, Sullivan, Waters—14.

NAYS—Messrs. Ariail, Austin, Barrett, Beauvais, Bell, Bennie, Bofill, Bonzano, Bromley, Cazabat, Cook T., Crozat, Cutler, Decker, Duane, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gaidry, Gastinel, Geier, Goldman, Gorlinski, Harnan, Hart, Healy, Henderson, Hills, Hire, Howell, Howes, Kugler, Maas, Mann, Maurer, Mayer, Montague, Morris, Murphy E., Newell, Normand, Ong, Orr, Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wells, Wilson—66.

Consequently the Convention refused to adjourn.

Mr. Thomas moved to amend the report by striking out, in the apportionment of representatives, as follows, viz :

First District—Strike out five and insert three.

Second District—Strike out eight and insert five.

Third District—Strike out six and insert seven.

Fifth District—Strike out three and insert four.

Sixth District—Strike out three and insert two.

Eighth District—Strike out two and insert three.

Tenth District—Strike out seven and insert eight.

Which amendments were accepted by the committee.

Pending discussion on the foregoing amendments, the Convention adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

THURSDAY, May 19, 1864.

The president called the Convention to order at 12 o'clock M., and, after prayer by the Rev. Mr. Strong, the roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Bailey, Baum, Bell, Bofill, Bonzano, Bromley, Burke, Campbell, Crozat, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Geier, Gruneberg, Gaidry, Healy, Hart, Henderson, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Millspaugh, Montague, Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot,

Purcell J., Pursell S., Schroeder, Schnurr, Smith, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Waters, Wells, Wilson, and Mr. President—62 members present.

There being no quorum present the sergeant-at-arms was directed to procure the attendance of absent members.

The following members having entered the hall and taken their seats, viz : Cook J. K., Cook T., Cutler, Dupaty, Flagg, Gastinel, Gorlinski, Harnan, Hills, Mendiverri, Seymour, Shaw, Thorpe and Thomas—14, the president declared a quorum present.

The minutes of yesterday were read, corrected and adopted.

Mr. Henderson moved to reconsider the vote by which his resolution of yesterday relative to charitable institutions was lost, but Mr. Henderson having voted with the minority on that resolution, the president informed him that he could not move the reconsideration, whereupon Mr. Gorlinski renewed the motion.

A motion to lay Mr. Gorlinski's motion on the table being lost, the question recurred upon the reconsideration, and upon a division resulted : ayes 40, nays 29 ; consequently the resolution was reconsidered.

On motion of Mr. Cutler the resolution was referred to a select committee of five, to be appointed by the president.

Mr. Austin offered the following resolution :

Resolved, That two-thirds of all the members of this Convention, as ascertained from the rolls of those elected and qualified, shall hereafter constitute a quorum of this body.

Mr. Campbell offered the following :

Whereas, The misfortunes of war has thrown in upon us, many Union refugees, from different parts of our State and the neighboring States, who are now in a destitute condition and want and require immediate relief ; *and whereas*, this Convention does sympathize with those who have had to leave their homes on account of their Union sentiments ; therefore

Resolved, That the sum of ——— dollars be and is hereby authorized to be placed at the disposal of the governor to relieve the distressed refugees in our city.

On motion of Mr. Hills the resolution was referred to the Select Committee on Charity.

Mr. Austin, chairman of the Select Committee on Auditor's Report, reported progress.

There being no other reports from committees, the unfinished business of yesterday came next in order.

Mr. Hills called up his resolution of yesterday, relative to dilatory members.

A motion to lay on the table was lost by the following vote :

YEAS—Messrs. Abell, Austin, Bailey, Buckley, Campbell, Cutler, Dufresne, Dupaty, Flagg, Gruneberg, Gaidry, Henderson, Hire, Kavanagh, Knobloch, Maurer, Mendiverri, Montamat, Paine J. T., Pursell S., Schnurr, Waters—22.

NAYS—Messrs. Balch, Baum, Bell, Bofill, Bonzano, Bromley, Burke, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Edwards, Ennis, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Healy, Harnan, Hart, Hills, Howell, Howes, Maas, Mann, Mayer, Millsbaugh, Morris, Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Schroeder, Seymour, Shaw, Smith, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Wells, Wilson—56.

Mr. Hills moved the previous question, which, being lost, the question recurred upon the adoption of the resolution.

Mr. Montamat moved to amend by inserting the word "not," so as to make the resolution read "shall not forfeit." Lost.

On the adoption of the resolution, the yeas and nays were called, resulting :

YEAS—Messrs. Austin, Balch, Barrett, Bofill, Bonzano, Burke, Crozat, Davies, Duane, Ennis, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Harnan, Hart, Hills, Howell, Kavanagh, Knobloch, Maas, Mann, Millsbaugh, Montague, Newell, Normand, O'Conner, Orr, Payne J., Pintado, Purcell J., Schroeder, Shaw, Smith, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Wells, Wilson—43.

NAYS—Messrs. Abell, Bailey, Baum, Bell, Bromley, Buckley, Campbell, Cook J. K., Cook T., Cutler, Decker, Dufresne, Dupaty, Edwards, Flagg, Gastinel, Gruneberg, Gaidry, Henderson, Hire, Howes, Kavanagh, Knobloch, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., Ong, Paine J. T., Poynot, Pursell S., Schnurr, Seymour, Sullivan, Thorpe, Thomas, Waters—38.

Mr. Wilson called up his resolution relative to adjourning *sine die* on 1st day of June next.

Mr. Sullivan moved to lay the resolution on the table, which motion was carried.

Mr. S. Pursell's resolution, relative to meeting at 10 o'clock A. M., was taken up, read, and laid on the table.

Mr. Bonzano's resolution providing that no adjournment for a longer period than twenty-four hours shall be made, unless such motion to adjourn shall have been seconded by a majority of the Convention and requiring the yeas and nays thereon, was taken up.

A motion to lay on the table was made and lost, and the resolution was adopted by a rising vote of 38 yeas to 29 nays.

The order of the day was then taken up, to-wit: The report of the Committee on Legislative Department.

Mr. S. Pursell moved to strike out the 88th, 89th, 90th, and 91st lines of article 6.

Mr. Goldman moved to lay the motion on the table. Lost.

On the adoption of the motion to strike out, the yeas and nays were ordered, resulting as follows:

YEAS—Messrs. Abell, Balch, Bailey, Barrett, Baum, Bell, Bofill, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Cutler, Decker, Duane, Dufresne, Edwards, Flagg, Flood, Foley, Gastinel, Geier, Grunenberg, Healy, Harnan, Hart, Kavanagh, Knobloch, Mann, Maurer, Mayer, Mendi-verri, Millsbaugh, Montamat, Murphy M. W., Newell, O'Conner, Ong, Orr, Payne J., Purcell J., Pursell S., Schroeder, Seymour, Smith, Stumpf, Sullivan, Taliaferro, Terry, Thomas, Waters, Wilson—53.

NAYS—Messrs. Austin, Bonzano, Bromley, Davies, Dupaty, Ennis, Fosdick, Goldman, Henderson, Hills, Hire, Howell, Maas, Montague, Normand, Paine J. T., Pintado, Schnurr, Shaw, Stiner, Stauffer, Thorpe, Wells—23.

Mr. Smith moved to strike out of article 6 the word one, opposite the words "Parish of St. Mary," and insert two, which motion was lost.

Mr. Balch moved to strike out "one" opposite the words "Parish of Iberville" and insert "two." Lost.

Mr. Bromley moved to re-commit that portion of article 6 of the report, between the 33d and 80th lines, inclusive. Lost.

Mr. Shaw moved to amend the 16th line of article 6, by inserting after the word "informality" the words "omission or error," which amendment was accepted by the committee.

Mr. Mann moved to amend by striking out of the 11th line the word "seventy" and insert "seventy-five," and in the 11th

and 12th lines to strike out entirely the words "the third in the year one thousand eight hundred and seventy-six."

Mr. Terry's motion, allowing parties not citizens to vote in consideration of military and other services, was lost.

Mr. Henderson moved to amend lines 3d, 5th, 8th, 15th, 21st and 24th of article 6, by striking out the word "electors" and inserting "total white population," which amendments were lost.

Mr. Flagg moved to amend line 33 by striking out the word "Algiers" and inserting the words "Orleans, right bank." Carried.

Mr. Bromley moved to amend line 33 by striking out "two" and inserting "three" opposite the word "Lafourche," and strike out "three" and insert "two" opposite the word "Claiborne."

Mr. Bell moved to amend article 6, line 33, by striking out the word "three" and insert "four" opposite the word "First District." Lost.

Mr. Montamat called for the previous question, which being carried, the main question was put and article 6, as amended, was adopted.

Articles 7, 8, 9, 10 and 11, were each read and adopted.

Article 12th was then read. Mr. Stocker moved to strike out in the 5th line, the words "At the discretion of the Legislature." Lost.

The article was then adopted as reported.

The remainder of the report was then read section by section and adopted as read.

The Convention then adjourned until 12 o'clock m. to-morrow.

Adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, May 20th, 1864.

The Convention was called to order by the president, pursuant to adjournment, and the roll being called the following members answered to their names:

Messrs. Abell, Atrial, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bonzano, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat,

Cutler, Davies, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Henderson, Hills, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Millspaugh, Montamat, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thomas, Waters, Wenck, Wells, Wilson, and Mr. President—88.

A quorum being present the proceedings were opened with prayer by the Rev. Mr. Gregg.

The journal of yesterday was read, corrected and approved.

On motion of Mr. Abell, Mr. Duke, of Ascension, was excused for non-attendance in consequence of illness in his family.

Mr. Bofill moved a re-consideration of the vote by which Mr. Hills's resolution, relative to absent members, was yesterday adopted.

Mr. Stauffer moved to lay the motion of Mr. Bofill on the table, on which motion the yeas and nays were demanded, and being ordered resulted as follows:

YEAS—Messrs. Ariail, Bonzano, Bromley, Duane, Edwards, Ennis, Foley, Fosdick, Fuller, Goldman, Gorlinski, Harnan, Hart, Hills, Howell, Kugler, Maas, Mann, Millspaugh, Montague, Morris, Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Schroeder, Schnurr, Shaw, Spellicy, Stiner, Stauffer, Taliaferro, Terry, Wells—39.

NAYS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Dufresne, Dupaty, Fish, Flagg, Flood, Gastinel, Geier, Gruneberg, Gaidry, Healy, Henderson, Hire, Howes, Kavanagh, Knobloch, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Ong, Purcell J., Pursell S., Seymour, Smith, Stocker, Stumpf, Sullivan, Thomas, Waters, Wenck, Wilson—51.

Consequently the Convention refused to table the motion to re-consider, and on the reconsideration Mr. Hills's motion, was tabled.

Mr. Austin called up his resolution of yesterday relative to quorum, and on motion, it was tabled.

ORDER OF THE DAY.

Third reading of report of Committee on Legislative Department was taken up, and finally passed as it had been amended on its second reading.

SECOND READING.

The Convention then took up the report of the Committee on Executive Department on its second reading.

The first section of the report was adopted without amendment.

The second section being read, Mr. Sullivan moved to strike out in the second line the words "twenty-eight" and insert in lieu thereof the word "thirty," and strike out "four" in the fourth line and insert "ten," so that the section will read as follows:

ART. —. No person shall be eligible to the office of governor or lieutenant governor who shall not have attained the age of thirty years, and been a citizen and resident within the State for the space of ten years next preceding his election.

On the motion to lay the amendments on the table. The yeas and nays were called and resulted as follows:

YEAS—Messrs. Ariail, Bonzano, Bromley, Collin, Cazabat, Duane, Dupaty, Ennis, Fish, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gaidry, Hills, Hire, Maas, Morris, Murphy E., Payne J., Paine J. T., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Stiner, Stauffer, Wenck—33.

NAYS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Cutler, Decker, Dufresne, Edwards, Flagg, Fuller, Gastinel, Gruneberg, Harnan, Hart, Howell, Howes, Kavanagh, Knobloch, Kugler, Mann, Maurer, Mayer, Millspaugh, Montamat, Montague, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Poynot, Seymour, Spellicy, Stocker, Stumpf, Sullivan, Taliaferro, Thomas, Waters, Wells, Wilson—53.

Consequently the motion to lay the amendments on the table was lost.

On the adoption of the section as amended the yeas and nays were called for, with the following result:

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Balch, Barrett, Baum, Bofill, Buckley, Burke, Campbell, Cazabat, Cook T., Crozat, Cutler, Decker, Dufresne, Edwards, Flagg, Fuller, Gastinel, Gaidry, Geier, Gruneberg, Harnan, Hart, Howes, Kavanagh, Knobloch, Kugler, Mann, Maurer, Mayer, Millspaugh, Montamat, Mon-

tague, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Seymour, Spellicy, Stocker, Stumpf, Stauffer, Sullivan, Taliaferro, Waters, Wells, Wilson—52.

NAYS—Messrs. Beauvais, Bell, Bonzano, Bromley, Collin, Duane, Dupaty, Ennis, Fish, Flood, Foley, Fosdick, Goldman, Gorlinski, Hills, Hire, Howell, Maas, Morris, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Purcell S., Schroeder, Schnurr, Shaw, Smith, Stiner, Thomas, Wenck—32.

The amendment was adopted, and the section adopted as amended.

The third section being read, Mr. Mann moved to strike out the word "fourth" in the second line and insert "second," so that the section, as amended, will read as follows:

Art. —. The governor shall enter on the discharge of his duties on the second Monday of January next ensuing his election, and shall continue in office until the Monday next succeeding the day that his successor shall be declared duly elected, and shall have taken the oath or affirmation required by the constitution.

The section was then adopted as amended.

On motion of Mr. Sullivan, the fourth section was stricken out.

The fifth section was read. Mr. Wells moved to amend by adding after the word "Congress," in the first line, "minister of any religious denomination," so that the section will read as follows: "No member of Congress, minister of any religious denomination, or any person holding office under the United States government, shall be eligible to the office of governor or lieutenant governor."

The amendment was adopted, and the section adopted as amended.

Mr. Abell moved a reconsideration of the vote striking out the fourth section.

Mr. Bofill moved to table the motion to reconsider. The motion to table was put, and on a rising vote—43 voted yea and 29 voted nay.

No quorum voting, a call of the House being demanded, 87 members answered to their names.

The yeas and nays were then demanded on Mr. Bofill's motion, with the following result:

YEAS—Messrs. Austin, Bailey, Beauvais, Bofill, Burke, Cazabat, Collin, Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Fuller, Gaidry,

Geier, Henderson, Hire, Howes, Kugler, Montamat, Morris, Ong, Payne J., Pursell S., Schroeder, Seymour, Smith, Stocker, Stauffer, Sullivan, Terry, Thomas, Waters, Wenck, Wells—40.

NAYS—Messrs. Abell, Ariail, Baum, Barrett, Bell, Buckley, Campbell, Cook J. K., Decker, Dufresne, Edwards, Flood, Foley, Fosdick, Gastinel, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Healy, Hills, Howell, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Montague, Murphy M. W., Newell, Normand, O'Conner, Orr, Paine J. T., Pintado, Poynot, Purcell J., Schnurr, Shaw, Spellicy, Stumpf, Stiner, Taliaferro, Wilson—46.

The motion to table was therefore lost.

On the original motion to reconsider a rising vote was taken, when 20 members voted yea and 52 voted nay. The motion to reconsider was therefore lost.

The 6th, 7th and 8th sections were adopted without amendments.

The 9th section being read, Mr. Beauvais offered a substitute, which was tabled, and the section adopted without amendment, as was also the 10th section.

Mr. Thomas proposed the following substitute for the 11th section:

The governor shall receive for his services a compensation of ten thousand dollars per annum, payable quarterly, on his own warrant.

On motion of Mr. Smith, the substitute was amended by inserting "eight" instead of "ten thousand," and the substitute adopted as amended.

The 12th section was read, and, on motion of Mr. Stauffer, the words "army and navy" were stricken out and the word "militia" inserted in lieu thereof. The section was adopted as amended.

Sections 13, 14, 15, 16, 17, 18, 19, 20 and 21 were adopted without amendments.

On motion of Mr. Davies, the 22d section was adopted by inserting the word "four" in lieu of "two," and the section adopted as amended.

The secretary read the next section.

Sec. 25. The free white men of the State shall be armed and disciplined for its defence: but those who belong to religious societies whose tenets forbid them to carry arms, shall not be compelled to do so, but shall pay an equivalent for personal services.

Mr. Stauffer's motion to strike out and in-

sert "all able-bodied citizens of the State shall be immediately armed and disciplined for the defence of the State, and those refusing to do so, shall be sent across the United States lines into the so-called Confederacy," was laid on the table.

Mr. Thomas's motion to strike out the word "free" was lost.

Mr. Orr's amendment, "All free white males between the ages of 18 and 45 shall be armed and disciplined for the defence of the State," and to strike out the remainder of the article was laid on the table, by a rising vote of ayes 33, nays 30, whereupon Mr. Stauffer asked to have every man's vote on the question, and the roll was called, resulting as follows :

YEAS—Messrs. Abell, Ariail, Balch, Barrett, Beauvais, Bofill, Buckley, Burke, Cazabat, Crozat, Decker, Duane, Dufresne, Edwards, Ennis, Flagg, Foley, Fosdick, Fuller, Gorlinski, Gruneberg, Harnan, Hart, Hire, Howell, Howes, Kavanagh, Knobloch, Mann, Maurer, Montamat, Murphy M. W., Newell, Normand, O'Conner, Poynot, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stauffer, Sullivan, Taliferro, Terry, Waters, Wenck, Wells, Wilson—59.

NAYS—Messrs. Baum, Bell, Bonzano, Campbell, Cook J. K., Cook T., Cutler, Davies, Fish, Flood, Goldman, Gaidry, Healy, Henderson, Hills, Kugler, Maas, Mayer, Morris, Ong, Orr, Payne J., Pintado, Pursell S., Schroeder, Stumpf, Stiner, Thomas—28.

The amendment was tabled.

Mr. Smith moved to strike out the word "white," first line of section 25.

A motion to lay the amendment on the table was lost by a rising vote of 30 ayes, 40 nays. The amendment was adopted. Upon putting the section before the Convention as amended, it was lost by a rising vote of yeas 40 ; nays 30.

The section was then adopted in its original form.

Mr. Sullivan moved to adjourn. Upon motion the yeas and nays were ordered, which resulted as follows :

YEAS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Bofill, Buckley, Campbell, Cook J. K., Cook T., Crozat, Duane, Dufresne, Dupaty, Flagg, Flood, Foley, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Hills, Howes, Kavanagh, Kugler, Maurer, Mayer, Murphy E., O'Conner, Orr, Poynot, Pursell S., Schnurr, Smith, Spellicy, Stocker, Sullivan, Terry,—39.

NAYS—Messrs. Ariail, Beauvais, Bell, Bonzano, Buckley, Cazabat, Cutler, Davies, Decker, Edwards, Ennis, Goldman, Harnan, Henderson, Hire, Howell, Kugler, Maas, Mann, Montague, Morris, Murphy M. W., Newell, Normand, Orr, Payne J., Paine J. T., Pintado, Pursell S., Schroeder, Seymour, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Thomas, Waters, Wenck, Wells, Wilson—41.

The motion to adjourn was therefore lost.

The 25th section was then adopted as originally reported.

Section 26 was adopted without amendment.

Mr. Bell moved to suspend the rules to put the report on its third reading, which was lost, and the report was ordered to be engrossed for its third reading on to-morrow.

The president announced that he had appointed as the "Special Committee" on Charitable resolutions, the following members : Messrs. Henderson, chairman ; Hills, Bonzano, Shaw and Thorpe.

The Convention then adjourned.

Adopted.

JOHN E. NEELIS,

Secretary.

SATURDAY, May 21, 1864.

The Convention met pursuant to adjournment, and was called to order by the president.

The roll was called, and the following members answered to their names, viz :

Messrs. Abell, Ariail, Austin, Bailey, Baum, Bell, Bonzano, Bromley, Burke, Collins, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Gaidry, Geier, Gorlinski, Gruneberg, Harnan, Hart, Henderson, Hills, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mendiwerri, Millsbaugh, Montague, Murphy M. W., Normand, O'Conner, Orr, Paine J. T., Pintado, Poynot, Pursell J., Pursell S., Schroeder, Schnurr, Seymour, Spellicy, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Wilson and Mr. President—64.

There being no quorum present, the sergeant-at-arms was directed to procure the attendance of absent members, and after some delay the following gentlemen entered the hall and answered to their names : Messrs. Barrett, Beauvais, Duane, Smith, Waters, Murphy E., Bofill, Buckley, Healy, Fosdick, Goldman, Montamat—12.

The minutes of yesterday's proceedings were read, amended and adopted.

There being no reports of committees submitted, the order of the day—to-wit: the third reading of the report of the Committee on Executive Department—was taken up and read by the secretary.

Mr. Cutler offered the following riders: 1st. In art. 9, omitting the words, "while he acts as president of the Senate," so that the article shall read:

Art. 9. The lieutenant governor shall receive for his services a salary of five thousand dollars per annum, to be paid quarterly." The remainder of the article, as reported, to be stricken out.

And also in art. 22, regarding the tenure of office of the treasurer, strike out "two years" and insert "four years;" and after the word "treasurer," insert the words, "and auditor of public accounts."

And also in art. 23, as reported, after the word "State," in the first line, strike out "and;" after second word "State," insert "auditor of public accounts."

After the word "State," in second line, same article, insert, "auditor shall receive a salary of five thousand dollars; the state treasurer shall receive a salary of five thousand dollars, and the secretary of state shall receive a salary of five thousand dollars."

All of which riders were accepted, and the report, as amended, was adopted.

The report of the Committee on the Judiciary was next taken up on its second reading.

Mr. Abell moved to defer the second reading of the report of the judiciary department until next Monday, which was, on motion of Mr. Stauffer, laid on the table by a rising vote of 36 yeas to 26 nays.

Mr. Montamat moved to adjourn, and the yeas and nays being ordered thereon, resulted as follows:

YEAS—Messrs. Abell, Bell, Burke, Collin, Cook T., Decker, Dufresne, Dupaty, Flagg, Foley, Fosdick, Gastinel, Gaidry, Grunenberg, Hart, Healy, Henderson, Knobloch, Mayer, Montamat, Purcell J., Schroeder, Seymour, Smith, Stocker, Stiner, Sullivan, Waters, Wilson—29.

NAYS—Messrs. Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bofill, Bonzano, Bromley, Collin, Cook J. K., Crozat, Cutler, Davies, Duane, Ennis, Fish, Flood, Fuller, Geier, Harnan, Hills, Howell, Kugler, Maas,

Mann, Mendiverri, Millsbaugh, Montague, Morris, Murphy E., Murphy M. W., Newell, Normand, Orr, Paine J. T., Pintado, Poynot, Pursell S., Schnurr, Spellicy, Stumpf, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wilson—49.

The report was then read and taken up section by section, and the first and second articles were adopted as reported, without opposition.

At this juncture, Mr. Abell insisted that there had been offered substitutes for the report which had not been acted upon, and moved that they be read; but, upon motion of Mr. Foley, the Convention adjourned until Monday, 23d instant.

Adopted.

JOHN E. NEELIS,
Secretary.

MONDAY, May 23, 1864.

The president called the Convention to order at 12 o'clock m., and the roll being called the following members answered to their names:

Messrs. Ariail, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bromley, Buckley, Burke, Campbell, Collin, Crozat, Davies, Duane, Duke, Edwards, Ennis, Flood, Gaidry, Geier, Goldman, Haley, Henderson, Hills, Howell, Kavanagh, Kugler, Maas, Mendiverri, Morris, Murphy M. W., Newell, Normand, Payne J., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thomas, Waters, Wenck, and Mr. President—54.

There being no quorum, the sergeant-at-arms was directed to bring in absent members; and the following members having entered the hall and taken their seats, viz: Messrs. Abell, Bofill, Cazabat, Dufresne, Fish, Flagg, Foley, Fuller, Gastinel, Grunenberg, Hart, Howes, Knobloch, Maurer, Mayer, O'Conner, Ong, Poynot, Stocker, Orr, Thorpe and Wilson, (22,) the president announced a quorum present. The two assistant secretaries being absent, the president requested Messrs. Winfree and Russ to act as secretaries *pro tem*. The president called Mr. Hills to the chair, the minutes were read, and no objection being made, they were declared approved.

The Committees on Schedule and Ordinance reported progress.

The Committee on Finance submitted the following reports:

REPORT OF THE FINANCE COMMITTEE.

May 17—Balance on hand as per report No. 5	\$55,485 40
May 17—Paid warrant No. 35.....	\$1,040 00
May 18—Paid warrant No. 36.....	644 00
May 19—Paid warrant No. 38.....	520 00
May 21—Paid warrant No. 39.....	1,240 00
May 21—Paid warrant No. 40.....	1,130 00
May 21—Paid warrant No. 41.....	860 00
May 21—Paid warrant No. 42.....	411 00
May 21—Paid warrant No. 43.....	108 00
May 21—Paid warrant No. 44.....	470 00
May 21—Paid warrant No. 46.....	1,876 00— 8,299 00
	\$47,186 40
May 23—Balance on hand to date of the funds appropriated for the payment of per diem of members and salaries of officers, forty-seven thousand one hundred and eighty-six dollars and forty cents.	

REPORT OF THE FINANCE COMMITTEE OF THE FUNDS APPROPRIATED FOR CONTINGENT EXPENSES.

May 17—Balance on hand as per report No. 5	\$9,585 48
May 20—Paid M. DeCoursey, warrant No. 45.....	826 00
	\$8,759 48
May 23—Balance on hand this day, eight thousand seven hundred and fifty-nine dollars and forty-eight cents.	
May 18—The sum of fifteen thousand dollars was paid to W. R. Fish for printing and advertising, on warrant No. 37, out of the funds not otherwise appropriated by the Convention, as appears per voucher No. 5, on file.	

Mr. Henderson, on behalf of the Special Committee on Charitable Institutions, submitted a report recommending an appropriation of twenty-one thousand dollars, as follows :

For the Orphans' Home, in New Orleans.....	\$ 1,500 00
For the St. Mary's Catholic Asylum.....	4,000 00
For the Female Asylum, Camp street.....	4,000 00
For the House of the Good Shepherd.....	250 00

For the Jewish Widows' and Orphans' Home.....	500 00
For the St. Joseph's Catholic Orphan Asylum.....	1,500 00
For the Elizabeth House of Industry.....	1,000 00
For the Society for the Relief of the Orphan Boys, Fourth District.....	1,000 00
For the Institution for Indigent Colored Boys, Third District	1,000 00
For the Ladies of Providence, Third District.....	750 00
For the St. Anna's Asylum for Destitute Widows and Children.....	1,500 00
For the Childrens' Home, of the Protestant Episcopal Church	500 00
For the Catholic Institute of Destitute Orphans.....	750 00
For the Catholic Benevolent Association, Baton Rouge.....	250 00
For the Female Orphan Asylum, Baton Rouge.....	500 00
For the St. Vincent's Orphan Asylum, Donaldsonville.....	500 00
For the Milne Asylum, New Orleans.....	500 00
For the St. Vincent's Orphan Asylum.....	500 00
For the Moreau Street Orphan Asylum.....	500 00

\$21,000 00

On motion, the foregoing report was taken up for action.

Mr. Sullivan moved to amend by adding, "To the Firemens' Charitable Association, \$3000."

Mr. Montamat amended the amendment by increasing the amount to \$5000, which was accepted by Mr. Sullivan.

Mr. Davies moved to lay the amendment on the table, on which motion the yeas and nays were demanded and taken, as follows :

YEAS—Messrs. Burke, Campbell, Collin, Cazabat, Davies, Duane, Dupaty, Edwards, Ennis, Flagg, Flood, Foley, Fuller, Gaidry, Goldman, Gruneberg, Harman, Hart, Henderson, Hills, Howell, Knobloch, Kugler, Maas, Mann, Murphy E., Murphy M. W., Newell, Normand, Ong, Pintado, Poynot, Schroeder, Schnurr, Smith, Stauffer, Thorpe, Wells—38.

NAYS—Messrs. Abell, Ariail, Austin, Barrett, Balch, Bailey, Bell, Bofill, Bromley, Buckley, Cook J. K., Crozat, Decker, Duke, Dufresne, Gastinel, Geier, Healy, Howes, Maurer, Mayer, Mendiverri, Morris, Montamat, Orr, Payne J., Purcell J., Pursell S., Seymour, Shaw, Spellicy, Stumpf, Stiner, Sullivan, Terry, Waters, Wenck, Wilson—38.

The chairman (Mr. Hills) declared that as a majority did not vote in favor of the motion, it was lost.

Mr. Henderson moved to lay the whole subject on the table, on which motion the yeas and nays were demanded and taken, as follows :

YEAS—Messrs. Abell, Ariail, Austin, Balch, Bromley, Burke, Collin, Cook T., Crozat, Cutler, Davies, Decker, Edwards, Ennis, Flagg, Flood, Fuller, Goldman, Hart, Harnan, Henderson, Hills, Howell, Knobloch, Kugler, Maas, Mann, Mendiverri, Morris, Newell, Normand, Ong, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Seymour, Smith, Stauffer, Wenck—41.

NAYS—Messrs. Barrett, Beauvais, Bell, Bofill, Buckley, Campbell, Cook J. K., Dufresne, Duane, Dupaty, Duke, Foley, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Howes, Maurer, Mayer, Montamat, Murphy E., Murphy M. W., O'Conner, Orr, Payne J., Purcell J., Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wilson—37.

Consequently the motion prevailed, and the whole subject was laid on the table.

ORDER OF THE DAY.

The Convention then took up the order of the day, being the report of the Committee on the Judiciary.

On motion of Mr. Howell, the vote of Saturday, by which the 1st and 2d sections were adopted, was reconsidered, and the 1st section having been read, was, on motion, adopted.

The 2d section was read, together with the following amendment of Mr. Abell :

It shall have a general superintending control over all inferior and other courts of law ; shall have power to issue writs of errors and supersedeas, certiorari, habeas corpus and quo warranto and other remedial writs, and to hear and determine the same.

Mr. Pursell moved to lay the amendment on the table, which, on a division of the House, was negatived by a vote of 28 yeas to 33 nays.

On the motion to adopt the amendment the yeas and nays were demanded and taken, as follows :

YEAS—Messrs. Abell, Balch, Bailey, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cook T., Decker, Duane, Dufresne, Dupaty, Duke, Ennis, Flood, Gaidry, Gruneberg, Knobloch, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Normand, Ong, Orr, Schroeder, Schnurr, Smith, Stiner, Stocker, Stumpf, Terry, Waters—37.

NAYS—Messrs. Ariail, Austin, Barrett, Beauvais, Bromley, Cook J. K., Crozat, Cutler, Edwards, Fuller, Gastinel, Geier, Goldman, Harnan, Hart, Henderson, Hire, Howell, Kugler, Maas, Mann, Morris, Newell, Payne J., Poynot, Purcell J., Pursell S., Seymour, Shaw, Spellicy, Stauffer, Sullivan, Wilson—33.

No quorum voting, on a motion to adjourn the yeas and nays were demanded and taken, as follows :

YEAS—Messrs. Abell, Austin, Balch, Bailey, Bofill, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Cutler, Decker, Duke, Duane, Dufresne, Edwards, Flood, Fuller, Gastinel, Goldman, Gruneberg, Hart, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., O'Conner, Ong, Orr, Poynot, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Sullivan, Waters—43.

NAYS—Messrs. Ariail, Barrett, Beauvais, Bell, Bromley, Collin, Dupaty, Ennis, Geier, Gaidry, Henderson, Hire, Howell, Kugler, Mann, Morris, Newell, Normand, Payne J., Purcell J., Pursell S., Schroeder, Stauffer, Stiner, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—30.

Consequently the chairman (Mr. Shaw) declared that the Convention stands adjourned until 12 o'clock M. to-morrow.

Adopted.

JOHN E. NEELIS,
Secretary.

TUESDAY, May 24, 1864.

The Convention met and was called to order by the president at 12 o'clock M.

The roll being called, the following members answered to their names :

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Beauvais, Bell, Bofill, Bromley, Burke, Campbell, Cazabat, Collin, Cook T., Cook J. K., Davies, Decker, Dufresne, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Gruneberg, Healy, Heard, Henderson, Hills, Hire, Howell, Knobloch, Maas, Mann, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Pursell S., Shaw, Smith, Spellicy, Stumpf, Stiner, Terry, Thorpe, Thomas, Wenck, Wells, and Mr. President—58.

There being no quorum, the sergeant-at-arms was directed to bring in absent members, and after some delay the following members entered the hall and took their seats :

Messrs. Baum, Cutler, Duane, Dupaty, Fuller, Gastinel, Gaidry, Harnan, Hart, Howes, Kugler, Mayer, Mendiverri, Murphy

E., Schroeder, Stocker, Stauffer, Sullivan, Thorpe, Waters, Wilson—21.

The president announced a quorum.

When the minutes were read, Mr. Abell asked to have the words "no quorum voting" stricken out, as being incorrect, and appealed to the president for a decision.

The president stated that he was not in the chair when the vote was taken on yesterday, but he would submit the question to the decision of the Convention.

The minutes were declared correct by a rising vote of 43 yeas to 18 nays, and were adopted without alteration.

RESOLUTIONS.

Mr. Montamat presented the following :

Resolved, That Major Gen. N. P. Banks and staff be respectfully invited to visit this Convention, and that a committee of five members be appointed by the chair to wait on Gen. Banks and communicate this resolution to him.

On motion of Mr. Montamat the rules were suspended and the resolution was unanimously adopted, and the president appointed on the committee under this resolution, Messrs. Montamat, Shaw, Cutler, Howell and Heard.

Mr. Hills offered the following :

Whereas, The absence of a few members at the 12 o'clock roll-call results in a great delay of business, therefore,

Resolved, That the members of the Convention who do not answer to their names within fifteen minutes after 12 o'clock m., shall forfeit their per diem allowance for every day of such absence.

Mr. Montamat offered the following :

Resolved, That the office of assistant secretary, occupied by Mr. T. H. Murphy, be declared vacant.

Resolved, further, That the secretary be authorized to appoint a suitable person to fill said vacancy during the balance of the session.

Mr. Terry presented the following :

Resolved, That the sum of one hundred dollars is hereby allowed out of any funds in the State treasury, not otherwise appropriated, to defray the expenses necessary for the enrollment on parchment, framing, etc., of the act of emancipation, in English and French, adopted by this Convention on the 11th day of May, 1864.

Mr. Thorpe offered the following :

Resolved, That the official printer be requested to publish every morning, in the

"True Delta," as full a report of the previous day's proceedings of the Convention as possible, including the votes on the call for yeas and nays, and so much of the debates as will give to members of the House a clear idea of each day's proceedings.

The foregoing resolutions were ordered to lie over until to-morrow, the Convention refusing to suspend the rules in order to consider them.

Mr. Stocker offered the following, which lays over until to-morrow :

Resolved, That the sum of twenty-two thousand five hundred dollars be, and the same is hereby, appropriated out of any money now in the treasury, not otherwise appropriated, for charitable purposes.

Be it further Resolved, That a committee of five be appointed by the chair to carry the above resolution into effect.

Mr. Henderson informed the Convention that Mr. Hamilton, one of the assistant secretaries, being unwell, and asks leave of absence for a few days. On motion of Mr. Henderson, Mr. Hamilton was granted leave of absence.

Mr. Henderson moved to reconsider the vote of yesterday, by which the report of the Special Committee on Charitable Appropriations was tabled.

Mr. Hills moved to lay the motion to reconsider on the table. Carried.

The Committee on Schedule reported progress.

Mr. Austin, on behalf of the Committee on the Report of the Auditor, stated that one of the members of the committee was absent, and another (Mr. Wells) will be absent in a day or two, and asked that the president appoint two others, which was ordered, and the president appointed Mr. Cutler in place of Mr. Thomas, and Mr. Heard in place of Mr. Wells.

The president laid before the Convention a communication from the secretary of state, relative to a portion of the State library, which, on motion of Mr. Hills, was referred to a special committee of three, upon which the president appointed Messrs. Hills, Howell and Campbell.

ORDER OF THE DAY.

The second reading of the report of the Committee on the Judiciary was then called for, and being taken up, the 2d section was

read; also, the amendments of Mr. Abell and Mr. Henderson.

It being determined to take up Mr. Abell's amendment first, the president decided it must be acted on *de novo*.

Mr. Cazabat moved to amend by striking out the words "error and."

Mr. Cutler moved to lay the amendment, and the amendment to the amendment, on the table, upon which motion the yeas and nays were demanded, and being taken, resulted as follows:

YEAS—Messrs. Ariail, Austin, Bailey, Barrett, Beauvais, Burke, Cazabat, Cook J. K., Crozat, Cutler, Davies, Edwards, Fish, Fuller, Geier, Goldman, Hart, Henderson, Heard, Howell, Howes, Kugler, Maas, Mann, Morris, Newell, Normand, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Purcell S., Schroeder, Shaw, Stumpf, Stauffer, Thorpe, Wenck, Wells—41.

NAYS—Messrs. Abell, Bell, Bofill, Bromley, Campbell, Collin, Cook T., Decker, Dufresne, Duane, Duke, Dupaty, Ennis, Fish, Flood, Foley, Fosdick, Gastinel, Gaidry, Gorlinski, Gruneberg, Harnan, Healy, Hills, Knobloch, Mayer, Montamat, Murphy E., Murphy M. W., O'Conner, Smith, Stocker, Stiner, Sullivan, Terry, Waters, Wilson—36.

The amendments were therefore laid on the table.

Mr. Henderson's amendment being next in order, was taken up and read.

Mr. Purcell moved to lay the amendment on the table, upon which motion the yeas and nays were demanded, and being taken, resulted as follows:

YEAS—Messrs. Ariail, Bailey, Barrett, Beauvais, Bromley, Campbell, Cazabat, Cook J. K., Crozat, Edwards, Fuller, Gaidry, Hart, Harnan, Heard, Howell, Howes, Knobloch, Kugler, Mann, Mayer, Morris, Newell, Normand, Payne J., Pintado, Poynot, Purcell S., Shaw, Stumpf, Terry, Thorpe, Wells—33.

NAYS—Messrs. Abell, Austin, Bell, Bofill, Burke, Collin, Cook T., Cutler, Davies, Decker, Duane, Duke, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Henderson, Healy, Hills, Maas, Montamat, Murphy E., Murphy M. W., O'Conner, Ong, Purcell J., Schroeder, Stocker, Stauffer, Stiner, Sullivan, Wenck, Wilson—41.

The motion was therefore declared lost.

A call of the House was demanded, and being taken, 70 members answered to their names. There being no quorum, on motion, the Convention adjourned.

Adopted.

JOHN E. NEELIS, *Secretary*.

WEDNESDAY, May 25, 1864.

The president called the Convention to order at 12 o'clock M., and the roll being called the following members answered to their names:

Messrs. Abell, Ariail, Barrett, Beauvais, Bell,

Bofill, Bromley, Buckley, Burke, Cazabat, Campbell, Collin, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Dupaty, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Heard, Henderson, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Purcell S., Shaw, Schnurr, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Wenck, Wells, Wilson and Mr. President—72.

No quorum being present, the sergeant-at-arms was directed to bring in absent members.

After some delay the following members appeared and took their seats:

Messrs. Baum, Hart, Healy, Kavanagh, Murphy E., Purcell J.—6.

A quorum was announced by the president, and the journal of yesterday was read and approved.

The president laid before the Convention a bill of the city of New Orleans against the State of Louisiana, amounting to \$6139 13, expenses paid for fitting up Liberty Hall for the use of the Convention, which was referred to the Committee on Contingent Expenses.

Mr. Hills called up his resolution of yesterday, relative to absent members.

A motion of Mr. Waters to table the resolution failed.

Mr. Stocker moved to amend by adding the words, "without a good excuse," to come in after the word "absence." This amendment was accepted.

On the adoption of the resolution the yeas and nays were taken, with the following result:

YEAS—Messrs. Ariail, Austin, Barrett, Bell, Bromley, Burke, Cazabat, Collin, Cook T., Davies, Duane, Dufresne, Ennis, Fish, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Harnan, Healy, Hills, Howell, Kugler, Maas, Mann, Mayer, Montamat, Morris, Newell, Normand, Pintado, Purcell J., Schroeder, Shaw, Smith, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wells, Wilson—45.

NAYS—Messrs. Abell, Bailey, Beauvais, Bofill, Buckley, Campbell, Cook J. K., Crozat, Decker, Dupaty, Duke, Edwards, Flagg, Fuller, Gastinel, Gaidry, Gruneberg, Hart, Heard, Henderson, Hire, Howes, Kavanagh, Knobloch, Maurer, Mendiverri, Murphy E., Murphy M. W., O'Conner, Ong, Orr, Payne J., Poynot, Purcell S., Schnurr, Seymour, Spellicy, Sullivan, Waters—39.

The resolution was therefore adopted.

Mr. Terry called up his resolution of yesterday, appropriating one hundred dollars to pay for enrolling, framing, etc., of the ordinance of emancipation; and, on motion of Mr. Wilson, it was referred to the Committee on Contingent Expenses.

Mr. Stocker called up his resolution appropriating \$22,500 for charitable purposes.

Mr. Smith moved to lay the resolution on the table, which motion prevailed by a rising vote of 47 yeas to 27 nays. But as there was no quorum voting,

Mr. Stocker moved a call of the House, which was ordered, and 84 members found to be present.

Mr. Stocker insisting on every member voting, the vote was taken by yeas and nays, with the following result :

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Collin, Crozat, Davies, Decker, Dupaty, Duane, Duke, Edwards, Ennis, Flagg, Fosdick, Fuller, Goldman, Henderson, Hills, Hire, Howell, Knobeloch, Kugler, Maas, Maurer, Mayer, Mendiverri, Morris, Montamat, Murphy M. W., Newell, Normand, Ong, Orr, Payne J., Pintado, Poynot, Seymour, Shaw, Smith, Spellicy, Stauffer, Sullivan, Waters, Wenck, Wells—53.

NAYS—Messrs. Barrett, Bell, Buckley, Campbell, Cook J. K., Cook T., Dufresne, Fish, Flood, Foley, Gastinel, Gaidry, Geier, Gorlinski, Gruneberg, Harnan, Hart, Healy, Heard, Kavanagh, Mann, Murphy E., O'Conner, Purcell J., Purcell S., Schnurr, Schroeder, Stocker, Stumpf, Stiner, Terry, Thorpe, Wilson—33.

The resolution was therefore tabled.

ORDER OF THE DAY.

The Convention resumed the consideration of the report of the Committee on Judiciary.

The 2d article was read, together with Mr. Henderson's amendment, when, with the consent of the Convention, Mr. Henderson withdrew his original amendment and offered a substitute.

Mr. Purcell moved to lay the substitute on the table. Lost by a rising vote of 32 yeas to 14 nays.

On the motion to adopt Mr. Henderson's substitute, the yeas and nays were taken, with the following result :

YEAS—Messrs. Abell, Bailey, Buckley, Collin, Cook T., Decker, Duane, Dufresne, Dupaty, Duke, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gaidry, Gorlinski, Gruneberg, Henderson, Hills, Kavanagh, Maurer, Maas, Mendiverri, Murphy M. W., Murphy E., O'Conner, Orr, Schroeder, Seymour, Smith, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters—39.

NAYS—Messrs. Ariail, Austin, Baum, Barrett, Beauvais, Bell, Bofill, Bromley, Burke, Campbell, Cazabat, Cook J. K., Crozat, Davies, Edwards, Fuller, Geier, Goldman, Harnan, Hart, Healy, Heard, Hire, Howell, Knobeloch, Kugler, Mann, Mayer, Montamat, Morris, Newell, Normand, Ong, Payne J., Pintado, Poynot, Purcell J., Purcell S., Schnurr, Shaw, Spellicy, Stocker, Wenck, Wells, Wilson—47.

The substitute was therefore not adopted.

Art. 2d was then adopted as originally reported by the committee.

Art. 3d was read, and Mr. Sullivan offered a substitute.

Mr. Cazabat moved to lay the substitute on the table. Lost.

Pending the discussion on the 3d article and Mr. Sullivan's substitute, the Convention adjourned.

Adopted.

JOHN E. NEELIS, *Secretary*.

THURSDAY, May 26, 1864.

The president called the Convention to order at 12 o'clock m.

Prayer was offered by the Rev. Mr. Gilbert.

The roll being called, the following members answered to their names :

Messrs. Abell, Ariail, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Healy, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobeloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Purcell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson and Mr. President—86.

A quorum being present, the journal of yesterday was read and approved.

Mr. Thorpe presented the following resolution, which lies over under the rules :

Resolved, That the pen used by the president of this Convention in signing the ordinance of emancipation, be presented, along with proper endorsements of its genuineness, to Major Gen. N. P. Banks, commanding the Department of the Gulf.

REPORTS OF COMMITTEES.

The Committee on Schedule reported progress.

The Committee on Finance, no report.

The Committee on Expenses, no report.

The Committee on Compensation, no report.

The Committee on Currency, no report.

The Committee on Auditor reported progress.

Mr. Montamat moved a reconsideration of the vote of yesterday on the adoption of Mr. Hills's resolution relative to members who fail to answer at roll call.

Mr. Hills moved that Mr. Montamat's motion be laid on the table, upon which motion the yeas and nays were demanded, and being taken resulted as follows :

YEAS—Messrs. Ariail, Barrett, Beauvais, Bell, Bromley, Burke, Collin, Cook T., Dufresne, Duane, Edwards, Ennis, Flood, Fosdick, Foley, Geier, Goldman, Gorlinski, Harnan, Hills, Howell, Kugler, Mann, Newell, Normand, Payne J., Purcell J., Purcell S., Schroeder, Shaw, Smith, Stiner, Stauffer, Terry, Thorpe, Wells, Wilson—36.

NAYS—Messrs. Abell, Bailey, Baum, Bennie, Beauvais, Bofill, Buckley, Campbell, Cook J. K., Crozat, Cutler, Davies, Decker

Duke, Dupaty, Fish, Flagg, Fuller, Gaidry, Gruneberg, Hart, Healy, Heard, Henderson, Hire, Howes, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., O'Conner, Ong, Orr, Paine J. T., Pintado, Poynot, Schnurr, Seymour, Spellicy, Stocker, Stumpf, Sullivan, Waters, Wenck—49.

The motion was therefore lost.

On the motion to reconsider the yeas and nays were demanded, and being taken, resulted as follows :

YEAS — Messrs. Abell, Austin, Bailey, Baum, Beauvais, Bennie, Bofill, Buckley, Campbell, Cook J. K., Crozat, Cutler, Davies, Decker, Duke, Dupaty, Fish, Flagg, Fuller, Gaidry, Gruneberg, Hart, Healy, Heard, Henderson, Hire, Howes, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Ong, O'Conner, Orr, Paine J. T., Pintado, Poynot, Schnurr, Seymour, Spellicy, Stocker, Sullivan, Waters, Wenck—49.

NAYS — Messrs. Ariail, Barrett, Bell, Bromley, Burke, Collin, Cook T., Duane, Dufresne, Edwards, Ennis, Flood, Foley, Fosdick, Geier, Goldman, Gorlinski, Harnan, Hills, Howell, Kugler, Mann, Newell, Normand, Payne J., Purcell J., Pursell S., Schroeder, Shaw, Smith, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wells, Wilson—37.

The motion to reconsider prevailed, and, on motion of Mr. Montamat, the resolution of Mr. Hills was laid on the table.

ORDER OF THE DAY.

The Convention resumed the consideration of art. 3d of the report of the Judiciary Committee, together with Mr. Sullivan's substitute, which was taken up as the order of the day, being the unfinished business of yesterday.

After an able and protracted discussion, the Convention adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, May 27, 1864.

The president called the Convention to order at 12 o'clock m.

The roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bromley, Brott, Buckley, Burke, Cazabat, Collin, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Dupaty, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Gaidry, Geier, Goldman, Gruneberg, Hart, Healy, Heard, Hen-

derson, Howell, Howes, Knobloch, Maurer, Maas, Mann, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wells, Wilson, and Mr. President—78.

The journal of yesterday was read and approved.

RESOLUTIONS.

The following resolutions were presented and laid over under the rules.

By Mr. Bell :

Resolved, That the following be adopted as a standing rule of this Convention :

When a question has been once decided by the Convention, it shall not again be brought up for consideration, except by a motion to reconsider, which motion must be made on the same or succeeding day, or by a vote of two-thirds of the members present.

By Mr. Waters :

Be it Resolved, That from and after this date, the police force of the city of New Orleans shall receive from the city treasury the annual pay of one thousand dollars, payable monthly, and shall furnish bond in the sum of one thousand dollars for the faithful performance of their duties while acting in the capacity of policemen.

Mr. Foley moved a suspension of the rules, in order to act on the foregoing resolution. Lost.

REPORTS OF COMMITTEES.

Mr. Cazabat, on behalf of the Special Committee on Compensation to loyal owners for emancipated slaves, stated that the committee will report on Monday.

Mr. Montamat, on behalf of the Special Committee to wait on Gen. Banks and invite him and his staff to visit this Convention, reported that the committee had performed the duty assigned them, and that Gen. Banks would visit the Convention at 1 o'clock p. m. to-day.

No other reports of committees.

Mr. Thorpe called up his resolution of yesterday, relative to presenting to General Banks the pen with which the president of this Convention signed the ordinance of emancipation. The resolution was unanimously adopted.

ORDER OF THE DAY.

The report of the Judiciary Committee was taken up as the order of the day.

On Mr. Hills's motion, the rule limiting members to half an hour in debate, was suspended during the discussion on the subject of the judiciary.

The door-keeper announced Gen. Banks, when all the members rose, and Gen. Banks entered the hall, accompanied by his staff and his excellency, Gov. Hahn. The distinguished visitors were escorted to the president's stand by the committee, when Gen. Banks was welcomed by the president in a short and appropriate address, to which the general replied in a few eloquent and well-timed remarks. Expressing thanks to the president and the Convention, he announced his cordial approval of what the Convention has already done, and his confidence that the work which remains to be completed will be equally well done.

At the conclusion of Gen. Banks's remarks, on motion of Mr. Stocker, the Convention took a recess of twenty minutes.

On reassembling, Mr. Abell obtained a suspension of the rules and offered the following resolution, which was unanimously adopted :

Resolved, That this Convention tenders to Major General Banks its acknowledgments of his eminent public services, first, as a civilian ; next, as a soldier ; and in both capacities, as a man ready and willing to give up his all for his country.

The discussion on the Judiciary Report was then resumed, pending which the Convention adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

SATURDAY May 28, 1864.,

The president called the Convention to order at 12 o'clock M., and the roll being called the following members answered to their names :

Messrs. Abell, Ariail, Balch, Bailey, Barrett, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Cazabat, Cook J. K., Crozat, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Flood, Foley, Geier, Goldman, Gorlinski, Harnan, Hart, Healy, Henderson, Heard, Howes, Kavanagh, Maurer, Maas, Mann, Mayer, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Orr, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stauffer, Stiner, Stumpf, Sullivan, Terry, Waters, Wells, Wilson and Mr. President—61.

There being no quorum, the sergeant-at-arms was directed to bring in absent members.

After some delay the following members appeared and took their seats :

Messrs. Baum, Collin, Fish, Mendiwerri, Fosdick, Kugler, Cook T., Seymour, Fuller, Austin, Davies, Howell, Hire, Beauvais, Stocker, Thorpe—16.

A quorum being announced, the journal of yesterday was read and approved.

Mr. Cazabat presented a resolution to the effect that this Convention will adjourn *sine die* on the 6th day of June.

Mr. Montamat moved a suspension of the rules in order to consider the foregoing resolution, but two-thirds not voting in favor of the motion, the resolution was laid over under the rules.

Mr. Pursell, on behalf of the Committee on Contingent Expenses, reported favorably on the bill of the city of New Orleans for fitting up Liberty Hall for the use of the Convention, and accompanied the report with a resolution providing for the payment of said bill.

The same member, on behalf of the same committee, reported unfavorably on the resolution of Mr. Terry, to appropriate one hundred dollars for enrolling on parchment, and framing, etc., of the ordinance of emancipation.

On motion, the report was adopted.

Mr. Austin, on behalf of the Committee on the Report of the Auditor of Public Accounts, stated that the committee will be ready to report on Monday.

Mr. Bell called up his resolution to amend the rules, and on motion the same was laid on the table.

Mr. Waters called up his resolution relative to the city police.

On a motion to table the resolution the yeas and nays were demanded, and being taken resulted as follows :

YEAS—Messrs. Ariail, Balch, Bailey, Beauvais, Collin, Cazabat, Crozat, Davies, Duke, Dufresne, Dupaty, Edwards, Ennis, Fosdick, Heard, Hills, Hire, Howell, Howes, Kugler, Mann, Mayer, Morris, Orr, Pintado, Pursell S., Shaw, Stauffer, Thorpe, Wells—30.

NAYS—Messrs. Abell, Barrett, Bell, Bofill, Buckley, Burke, Campbell, Cook T., Cook J. K., Duane, Fish, Flood, Foley, Fuller, Geier, Goldman, Gorlinski, Harnan, Hart,

Healy, Henderson, Howes, Maas, Maurer, Mendiverri, Montamat, Murphy M. W., Normand, O'Conner, Poynot, Purcell J., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters, Wenck, Wilson—44.

Mr. Sullivan offered a substitute for Mr. Waters's resolution. The substitute was accepted.

Mr. Cazabat moved to table the substitute, upon which motion the yeas and nays were demanded, and being taken resulted as follows :

YEAS—Messrs. Ariail, Austin, Balch, Bailey, Beauvais, Bromley, Burke, Campbell, Collin, Cazabat, Cutler, Davies, Dufresne, Duke, Dupaty, Edwards, Ennis, Fosdick, Gorlinski, Heard, Hills, Hire, Howell, Kugler, Mann, Mayer, Morris, Orr, Payne J., Paine J. T., Pintado, Pursell S., Shaw, Stumpf, Thorpe, Wells, Wilson—37.

NAYS—Messrs. Abell, Barrett, Bell, Bofill, Buckley, Cook J. K., Cook T., Duane, Fish, Flood, Foley, Fuller, Geier, Goldman, Harnan, Hart, Healy, Henderson, Howes, Maas, Maurer, Mendiverri, Montamat, Murphy M. W., Normand, O'Conner, Poynot, Purcell J., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan, Terry, Waters, Wenck—40.

Consequently the motion was lost, and on motion of Mr. Abell the substitute was ordered to be printed and made the order of the day for Monday, June 6th.

Mr. Bofill asked a call of the House, which was ordered, when 77 members answered.

The order of the day being the report of the Judiciary Committee, together with Mr. Sullivan's substitute for the 3d article of said report, was then taken up and discussed, pending which the Convention adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

MONDAY, May 30, 1864.

The Convention met pursuant to adjournment, and after prayer by the Rev. Mr. Horton, the roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Balch, Bailey, Beauvais, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Crozat, Davies, Dufresne, Duke, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Harnan, Hart, Healy, Heard, Hills, Howell, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Mayer,

Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson and Mr. President—66.

There being no quorum, the sergeant-at-arms was directed to procure the attendance of absent members.

The following members having entered and taken their seats, viz : Messrs. Barrett, Cazabat, Cook T., Cutler, Duane, Fuller, Henderson, Hire, Morris, Schroeder and Stocker, (11,) the president announced that there was a quorum present.

Mr. Hills offered the following :

Resolved, That members of this Convention who have not leave of absence, and who shall fail to answer to the roll-call within twenty minutes after 12 m., shall forfeit their per diem allowance for every day of such absence, unless able to give a satisfactory excuse to the Convention.

Mr. Stocker moved to suspend the rules in order to take up Mr. Hills's resolution, but the Convention refusing to suspend the rules, the resolution was laid over.

Mr. Montamat offered the following :

Resolved, That a copy of the resolution adopted by this Convention, tendering thanks to Major General N. P. Banks, be sent to him, (the same to be written on parchment.)

Mr. Orr offered the following :

Resolved, That it shall be the duty of the Legislature, at its first session, to fix, by legislative enactments, the compensation to be paid to foremen, mechanics, cartmen and laborers employed on the public works under the government of the State of Louisiana and the city of New Orleans, at not less than the following rates :

Foreman of mechanics.....	\$4 00	per day.
Foreman of carts.....	3 00	" "
Foremen of laborers.....	3 00	" "
Mechanics.....	3 00	" "
Laborers.....	2 00	" "

Mr. Wells, on behalf of the Committee on Compensation of loyal owners of slaves, submitted a written report and memorial, and also reported the following resolutions :

Resolved, That the Committee on the Compensation of loyal citizens for slaves emancipated, be directed to cause the accompanying memorial to be engrossed in duplicate, signed by themselves and attested by the president and secretary of this Convention, and that they also transmit one copy of the same to the Senate and the other

to the House of Representatives of the United States.

Resolved, That the committee be instructed to correspond, upon the subject of compensating loyal owners, with such members of Congress of the United States as they may think proper.

Mr. Abell offered the following amendment :

That the payment be made to loyal citizens before the final adoption of this constitution.

The question being put upon the adoption of Mr. Abell's amendment, the same was rejected, and so announced by the president; whereupon Messrs. Abell and Montamat appealed from the decision of the chair to the Convention, which sustained the decision of the chair.

The report of the Committee on Compensation was then adopted, and on motion of Mr. Montamat, two hundred copies was ordered to be printed.

Mr. Abell moved that two hundred copies of his amendment be printed.

A motion to lay on the table being lost, Mr. Abell's motion was then carried.

Mr. Montamat, on behalf of the Committee on Finance, submitted the following report of the Finance Committee of the State Convention, of the funds appropriated for the payment of per diem of members and salaries of officers :

May 23—Balance on hand as per report No. 6.....	\$47,186 40
May 4—Paid warrant No. 47.	\$1349 00
May 24—Paid warrant No. 48.	416 00
May 25—Paid warrant No. 49.	1730 00
May 28—Paid warrant No. 50.	1630 00
May 28—Paid warrant No. 51.	2330 00
May 28—Paid warrant No. 52.	1828 00
May 28—Paid warrant No. 54.	860 00—\$10,143 00
May 30—Balance on hand this day.....	\$37,043 40
Thirty-seven thousand and forty-three dollars and forty cents.	

JOHN P. MONTAMAT,
Chairman pro tem., Finance Committee.
New Orleans, May 30, 1864.

Mr. Montamat, as chairman *pro tem.* of the Committee on Finance, also submitted the

following report of the Finance Committee of the State Convention, of the funds appropriated for contingent expenses :

May 23—Balance on hand as per report No. 6.....	\$8759 48
May 27—Paid M. DeCoursey for contingent expenses, as per voucher on file, warrant No. 53.....	1830 85
May 30—Balance on hand this day.	\$6928 63
Six thousand nine hundred and twenty-eight dollars and sixty-three cents.	

JOHN P. MONTAMAT,
Chairman pro tem., Finance Committee.
New Orleans, May 20, 1864.

Mr. Cazabat's resolution relative to the final adjournment of the Convention on the 6th day of June, was taken up, and, on motion of Mr. Buckley, was laid on the table.

The report of the Committee on the Judiciary being the special order of the day was then taken up, and after a lengthy discussion, the Convention adjourned until tomorrow at 12 o'clock m.

Adopted.

JOHN E. NEELIS,
Secretary.

TUESDAY, May 31, 1864.

The Convention met pursuant to adjournment, and was called to order by the president.

The proceedings were opened with prayer by the Rev. Mr. Strong.

The roll was called, and the following members answered to their names :

Messrs. Abell, Balch, Bailey, Barrett, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Crozat, Decker, Duke, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Gorlinski, Harnan, Healy, Heard, Hills, Howell, Howes, Kavanagh, Mass, Mann, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Terry, Waters, Wells and Mr. President—60.

There being no quorum present, the sergeant-at-arms was directed to procure the attendance of absent members.

After some delay, Messrs. Beauvais, Bell, Fosdick, Gastinel, Geier, Goldman, Hart, Henderson, Hire, Maurer, Murphy E., Smith, Stocker, Thorpe, Wenck and Wilson entered, took their seats and answered to their names.

The president then announced a quorum present.

The minutes of yesterday were read and approved.

The president having read the order of business, Mr. Stocker moved that the rules be suspended, to allow Mr. Thorpe to introduce a resolution, which motion was carried and the rules accordingly suspended.

Mr. Thorpe then offered the following :

Resolved, That after this date (May 31st, 1864) the order of the day shall be taken up immediately after the minutes shall have been read by the clerk and accepted by the Convention, and that Saturday of each week shall be appropriated to miscellaneous business.

Mr. Wilson moved a suspension of the rules in order to take up the resolution, which was carried.

The resolution was then read by the secretary, when Mr. Montamat moved to lay it on the table, which motion being lost, the resolution was taken up and adopted by a rising vote of 54 yeas and 18 nays.

Mr. Sullivan demanded a call of the House, when seventy-six members answered to their names.

Mr. Hills called up his resolution of yesterday.

Mr. Montamat offered the following amendment :

That the honorable member of the Second Representative District (Mr. Hills) shall forfeit his per diem for every day he shall fail to answer to his name within fifteen minutes after 12 o'clock M.

On motion of Mr. Sullivan, the resolution and amendment were both laid on the table.

Mr. Orr called up his resolution of yesterday.

Mr. Hills moved to lay it on the table, which motion was carried by a rising vote of 40 yeas to 35 nays.

Mr. Montamat called up his resolution relative to furnishing Major General Banks a copy of the resolution of thanks lately adopted by this Convention.

The resolution was read and unanimously adopted.

The Convention then resumed its action on the report of the Committee on the Judiciary, and the substitute offered therefor, being the special order of the day.

After a lengthy discussion the question was called for, but a call of the House having been demanded by Mr. Sullivan the roll was called, when only seventy-three members answered to their names.

There being no quorum, the sergeant-at-arms was dispatched for absent members.

Mr. Foley moved to adjourn. Lost.

Several members having entered the hall and taken their seats, the roll was again called, when seventy-six members answered to their names, and a quorum was declared to be present.

The question upon the adoption of Mr. Sullivan's amendment was then put, when the yeas and nays being ordered, the following vote was taken :

YEAS—Messrs. Bell, Buckley, Campbell, Collin, Duke, Flood, Gastinel, Goldman, Gruneberg, Harnan, Howes, Maurer, Morris, Murphy M. W., O'Conner, Orr, Poynot, Pursell Sam., Schnurr, Smith, Stocker, Stauffer, Sullivan, Terry, Waters—25.

NAYS—Messrs. Abell, Ariail, Bailey, Barrett, Beauvais, Bofill, Bromley, Brott, Burke, Cazabat, Cook J. K., Cook Terrance, Crozat, Cutler, Decker, Edwards, Ennis, Fish, Flagg, Foley, Fosdick, Fuller, Gorlinski, Healy, Hart, Heard, Henderson, Hills, Hire, Howell, Kavanagh, Maas, Mann, Mendi-verri, Montamat, Murphy E., Newell, Normand, Ong, Payne J., Pintado, Purcell J., Schroeder, Seymour, Shaw, Spellicy, Stumpf, Stiner, Thorpe, Wenck, Wells, Wilson—52.

Consequently the amendment was rejected.

The question then recurred upon the adoption of the 3d article of the report.

The yeas and nays were ordered, with the following result :

YEAS—Messrs. Ariail, Bailey, Beauvais, Bofill, Bromley, Brott, Burke, Cazabat, Crozat, Cutler, Ennis, Fish, Flagg, Fuller, Gorlinski, Healy, Heard, Henderson, Hire, Howell, Mann, Newell, Pintado, Seymour, Shaw, Stumpf, Thorpe, Wenck, Wells, Wilson—30.

NAYS—Messrs. Abell, Barrett, Bell, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Duke, Edwards, Flood, Foley, Fosdick, Gastinel, Goldman, Gruneberg, Hart, Harnan, Hills, Howes, Kavanagh, Maurer, Maas, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan, Terry, Waters—47.

On motion the Convention then adjourned til to-morrow at 12 o'clock m.

Adopted.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, June 1, 1864.

The Convention met pursuant to adjournment. The roll was called by the secretary, and the following members answered to their names :

Messrs. Ariail, Austin, Balch, Baum, Barrett, Buckley, Burke, Campbell, Cook J. K., Collin, Decker, Dufresne, Duke, Edwards, Flagg, Flood, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Healy, Heard, Hills, Howell, Howes, Mann, Montamat, Newell, Normand, O'Conner, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Shaw, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Wells and Mr. President—44.

There being no quorum present, the sergeant-at-arms was directed to procure the attendance of absent members.

After some delay the following gentlemen entered and took their seats : Messrs. Abell, Bailey, Beauvais, Bell, Bofill, Brott, Bromley, Crozat, Cutler, Duane, Fish, Foley, Fosdick, Gastinel, Hart, Henderson, Hire, Kavanagh, Maas, Mayer, Mendiverri, Morris, Murphy M. W., Ong, Orr, Purcell J., Smith, Stocker, Terry, Thorpe, Waters, Wenck, Wilson—33.

The president announced that a quorum was present.

The minutes of yesterday were read, amended and adopted.

Mr. Montamat moved a reconsideration of the vote by which article 3d of the report of the Judiciary Committee was rejected on yesterday, which motion was carried and the article reconsidered.

Mr. Montamat then moved to amend by substituting "seven thousand five hundred dollars" instead of "ten thousand dollars," as the salary of the chief justice, and "seven thousand dollars" instead of "nine thousand dollars," as the salary per annum of the associate judges.

Mr. Stiner moved to strike out "seven thousand five hundred dollars" and insert "eight thousand dollars" instead, which motion was laid on the table.

Mr. Thorpe offered to amend by striking out entirely all that part of the article re-

lating to salaries, so as to leave the fixing thereof to the Legislature.

Laid on the table.

Mr. Hills moved to lay Mr. Montamat's amendment on the table, upon which the yeas and nays were ordered with the following result :

YEAS—Messrs. Abell, Balch, Baum, Bailey, Bromley, Brott, Collin, Cook J. K., Davies, Decker, Duane, Dufresne, Duke, Edwards, Flood, Foley, Fosdick, Gorlinski, Healy, Hills, Hire, Howell, Howes, Murphy M. W., Normand, O'Conner, Orr, Poynot, Schroeder, Smith, Spellicy, Stocker, Terry, Thorpe, Wenck, Wilson—36.

NAYS -- Messrs. Ariail, Austin, Barrett, Beauvais, Bofill, Buckley, Burke, Campbell, Cazabat, Crozat, Cutler, Fish, Flagg, Fuller, Gastinel, Geier, Goldman, Gruneberg, Hart, Heard, Maas, Mann, Mayer, Montamat, Morris, Newell, Ong, Pintado, Purcell J., Pursell S., Schnurr, Seymour, Shaw, Stumpf, Stiner, Stauffer, Sullivan, Waters, Wells—39.

Consequently Mr. Hills's motion was lost.

Soon after a call of the House being ordered the roll was called, and seventy-seven members responded to their names.

Mr. S. Pursell offered to amend by inserting after the word "annually" the words "until otherwise provided by law," which amendment was accepted by Mr. Montamat.

The question was then put upon the adoption of the article as amended and was carried ; consequently the article, as amended, was adopted.

Articles 4, 5, 6, 7 and 8 were then adopted without opposition.

When article 9 was read, Mr. Campbell moved to amend by striking out in the 4th line the words "three-fourths" and inserting the word "majority."

Mr. Cazabat moved to lay Mr. Campbell's amendment on the table. Lost.

Mr. Campbell's amendment was then adopted.

Mr. Stocker moved to amend by striking out in the 4th line the words "present in" and inserting the words "elected to," which amendment was carried.

Article 9 was then adopted as amended.

Article 10 was read, when Mr. Cazabat moved to strike out after "salary" the words "which shall not be diminished during their continuance in office," which amendment was laid on the table.

Mr. S. Pursell offered an amendment, in-

serting after the word "be," in the 2d line, the words "increased or."

Mr. Henderson moved to lay the amendment on the table. Carried. Consequently Mr. Pursell's amendment was lost.

The amendments were then withdrawn and the article adopted as reported.

Article 11 was then read, together with the substitute offered by Mr. Stauffer and the amendments of Messrs. Montamat and Sullivan.

Mr. Cazabat moved to lay both the substitute and amendments on the table, upon which question the yeas and nays were ordered, with the following result :

YEAS—Messrs. Ariail, Bailey, Baum, Beauvais, Bofill, Burke, Cazabat, Crozat, Cutler, Duane, Fish, Flagg, Fuller, Geier, Heard, Hire, Howell, Mayer, Newell, Normand, Ong, Poynot, Purcell J., Schnurr, Seymour, Stumpf, Thorpe, Waters, Wenck, Wells, Wilson—31.

NAYS—Messrs. Abell, Austin, Balch, Bell, Bromley, Brott, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Dufresne, Duke, Edwards, Flood, Foley, Fosdick, Gastinel, Goldman, Gorlinski, Gruneberg, Hart, Henderson, Healy, Hills, Howes, Maas, Mann, Mendiverri, Montamat, Morris, Murphy M. W., O'Conner, Orr, Pintado, Pursell S., Shaw, Smith, Spellicy, Stocker, Stauffer, Stiner, Sullivan, Terry—45.

Consequently the motion to lay on the table was lost.

Mr. Montamat then withdrew his amendment.

The substitute offered by Mr. Stauffer was then taken up.

Mr. Gruneberg moved to strike out the words "the court shall have power to appoint its own clerks," as superfluous, the same being previously provided for, which amendment was accepted by Mr. Stauffer.

On the adoption of Mr. Stauffer's substitute the yeas and nays were ordered, resulting as follows :

YEAS—Messrs. Bell, Buckley, Campbell, Cook T., Decker, Dufresne, Duke, Flagg, Gastinel, Geier, Goldman, Gruneberg, Howes, Mayer, Morris, O'Conner, Orr, Poynot, Sullivan, Schnurr, Smith, Stocker, Stauffer, Terry—24.

NAYS—Messrs. Abell, Ariail, Austin, Barrett, Balch, Bailey, Baum, Beauvais, Bofill, Bromley, Brott, Burke, Cazabat, Cook J. K., Collin, Crozat, Cutler, Duane, Edwards,

Fish, Flood, Foley, Fosdick, Fuller, Gorlinski, Hart, Healy, Heard, Henderson, Hills, Hire, Howell, Maas, Mann, Mendiverri, Montamat, Murphy M. W., Newell, Normand, Ong, Pintado, Purcell J., Pursell S., Shaw, Seymour, Spellicy, Stumpf, Stiner, Thorpe, Waters, Wenck, Wells, Wilson—53.

Consequently the substitute was rejected.

Mr. Sullivan's amendment was then taken up, and the yeas and nays being ordered thereon, resulted as follows :

YEAS—Messrs. Bell, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Duke, Flagg, Flood, Geier, Goldman, Gorlinski, Gruneberg, Howes, Mayer, O'Conner, Orr, Poynot, Pursell S., Smith, Spellicy, Stocker, Stauffer, Sullivan, Terry—26.

NAYS—Messrs. Abell, Ariail, Austin, Barrett, Balch, Bailey, Baum, Beauvais, Bofill, Bromley, Brott, Burke, Cazabat, Crozat, Cutler, Duane, Dufresne, Edwards, Fish, Foley, Fosdick, Fuller, Gastinel, Hart, Healy, Heard, Henderson, Hills, Hire, Howell, Maas, Mann, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, Ong, Pintado, Purcell J., Schnurr, Shaw, Stiner, Seymour, Stumpf, Thorpe, Waters, Wenck, Wells, Wilson—51.

Consequently the amendment was rejected.

Mr. Shaw offered an amendment to the article as reported, by striking out all after the word "Senate" and inserting the words, "the judges of the Supreme Court shall hold their offices during the term of six years, and the judges of the inferior courts, for the term of four years."

After a lengthy discussion, Mr. Sullivan moved to adjourn, which was carried on a division of ayes 54, noes 23. Consequently the Convention adjourned until to-morrow at 12 o'clock m.

Adopted.

JOHN E. NEELIS,
Secretary.

THURSDAY, June 2, 1864.

The Convention met pursuant to adjournment.

The roll was called and the following members answered to their names :

Messrs. Ariail, Austin, Balch, Baum, Barrett, Bell, Burke, Campbell, Cazabat, Collin, Cook J. K., Crozat, Decker, Duane, Duke,



Dufresne, Edwards, Flagg, Flood, Foley, Gastinel, Gaidry, Geier, Goldman, Gruneberg, Harnan, Healy, Heard, Henderson, Hills, Howell, Knobloch, Maas, Mann, Maurer, Mayer, Montamat, Morris, Newell, Normand, O'Conner, Payne J., Pintado, Pursell S., Schnurr, Seymour, Shaw, Spellicy, Stauffer, Stumpf, Sullivan, Terry, Wells, Wilson, and Mr. President—55.

There being no quorum present, the sergeant-at-arms was directed to bring in absent members.

After some delay the following members entered the hall and answered to their names:

Messrs. Abell, Bailey, Beauvais, Bofill, Bromley, Fish, Fosdick, Fuller, Gorlinski, Hart, Hire, Howes, Mendiverri, Murphy M. W., Ong, Orr, Paine J. T., Purcell J., Smith, Stocker, Stiner, Waters—22.

The president announced a quorum present.

The minutes of yesterday's proceedings were read and adopted.

Mr. Montamat moved a suspension of the rules in order to introduce a resolution, which motion was carried, and the rules were accordingly suspended.

Mr. Montamat then offered the following:

Resolved. That the office of assistant secretary, now filled by Mr. T. H. Murphy, be and is hereby declared vacant.

Resolved, further. That the secretary be authorized to employ a proper person to fill said vacancy during the balance of the session.

Mr. Cazabat moved to reject the resolution. Lost.

The resolution was adopted.

The secretary thereupon appointed Mr. Philip Winfree to fill the vacancy occasioned by the adoption of said resolution.

The Convention then resumed its action on Mr. Shaw's amendment to art. 11 of the report of the Committee on the Judiciary.

Mr. Hills offered an amendment to Mr. Shaw's amendment, substituting the words "ten years" for the words "six years," as the term of office of the judges of the Supreme Court, and also substituting the words "eight years" for the words "four years," as the term of office of the judges of the inferior courts.

On a motion to lay Mr. Hills's amendment on the table the yeas and nays were ordered, with the following result:

YEAS—Messrs. Bailey, Bell, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Flood, Geier, Goldman, Gruneberg, Howell, Knobloch, Maas, Mann, Mayer, Morris, Murphy M. W., O'Conner, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Stauffer, Sullivan, Terry, Wenck—33.

NAYS—Messrs. Abell, Atrial, Austin, Barrett, Balch, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Crozat, Duane, Duke, Dufresne, Edwards, Fish, Flagg, Foley, Fosdick, Fuller, Gaidry, Gorlinski, Harnan, Hart, Healy, Heard, Henderson, Hills, Hire, Howes, Maurer, Mendiverri, Montamat, Normand, Newell, Ong, Paine J. T., Pintado, Seymour, Spellicy, Stocker, Stumpf, Stiner, Thorpe, Waters, Wells, Wilson—48.

Consequently the motion to lay on the table was lost.

After some discussion Mr. Austin moved to adjourn, and the yeas and nays being ordered resulted as follows:

YEAS—Messrs. Abell, Austin, Baum, Bailey, Buckley, Campbell, Cook J. K., Crozat, Decker, Dufresne, Duke, Flagg, Flood, Foley, Gaidry, Goldman, Gruneberg, Hart, Maurer, Mendiverri, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Poynot, Purcell J., Schroeder, Spellicy, Stocker, Stumpf, Sullivan, Waters—34.

NAYS—Messrs. Atrial, Barrett, Beauvais, Bell, Bofill, Bromley, Burke, Cazabat, Collin, Cook T., Cutler, Duane, Edwards, Fish, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Harnan, Healy, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Maas, Mann, Mayer, Montamat, Morris, Payne J., Paine J. T., Pintado, Pursell S., Schnurr, Seymour, Shaw, Smith, Stiner, Stauffer, Terry, Thorpe, Wenck, Wells, Wilson—48.

Consequently the Convention refused to adjourn.

The question on the adoption of Mr. Hills's amendment was then put, when the yeas and nays being ordered, the following vote was taken:

YEAS—Messrs. Bromley, Cazabat, Duane, Fish, Foley, Fosdick, Fuller, Goldman, Gorlinski, Harnan, Healy, Henderson, Hills, Hire, Mayer, Normand, Paine J. T., Pintado, Stumpf, Stiner, Thorpe, Waters—22.

NAYS—Messrs. Abell, Atrial, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cook T., Cook J. K., Crozat, Cutler, Decker, Duke,

Dufresne, Edwards, Flagg, Flood, Gastinel, Gaidry, Geier, Gruneberg, Hart, Heard, Howell, Howes, Knobloch, Maas, Maurer, Mann, Mendiwerri, Morris, Murphy M. W., Newell, O'Conner, Ong, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Seymour, Schnurr, Shaw, Smith, Spellicy, Stauffer, Stocker, Sullivan, Terry, Wenck, Wells, Wilson—59.

Consequently Mr. Hills's amendment was lost.

Mr. Shaw's amendment was then taken up, and on the question of its adoption the yeas and nays were ordered, with the following result:

YEAS—Messrs. Barrett, Baum, Bell, Buckley, Campbell, Cook J. K., Cook T., Decker, Duane, Dufresne, Duke, Fish, Flagg, Flood, Fosdick, Gastinel, Gaidry, Geier, Goldman, Gorlinski, Gruneberg, Harnan, Hart, Hire, Howes, Knobloch, Maas, Maurer, Mayer, Mendiwerri, Morris, Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Poynot, Purcell J., Pursell S., Shaw, Schroeder, Schnurr, Seymour, Smith, Stiner, Spellicy, Stocker, Stumpf, Stauffer, Sullivan, Terry—53.

NAYS—Messrs. Abell, Ariail, Austin, Bailey, Beauvais, Boffil, Bromley, Burke, Cazabat, Collin, Crozat, Cutler, Edwards, Foley, Fuller, Healy, Heard, Henderson, Hills, Howell, Mann, Newell, Pintado, Thorpe, Waters, Wenck, Wells, Wilson—28.

Mr. Shaw's amendment was therefore adopted.

On motion the Convention adjourned until Friday, 12 o'clock m.

Adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, June 3, 1864.

The Convention met at 12 o'clock m. and was called to order by the president. The roll was called and the following members answered to their names:

Messrs. Abell, Ariail, Austin, Barrett, Baum, Bell, Bromley, Burke, Campbell, Collin, Cook T., Crozat, Davies, Decker, Dufresne, Dupaty, Flagg, Flood, Foley, Gaidry, Gastinel, Geier, Gorlinski, Harnan, Healy, Heard, Henderson, Hills, Howell, Kavanagh, Knobloch, Maas, Mann, Mayer, Maurer, Montamat, Morris, Murphy E., Newell, O'Conner, Ong, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stiner, Stauffer, Sullivan, Terry, Waters, Wells, Wilson and Mr. President—59.

There being no quorum the sergeant-at-

arms was directed to bring in absent members, and after some delay the following members took their seats and answered to their names, viz:

Messrs. Bailey, Boffil, Cazabat, Cook J. K., Duane, Duke, Edwards, Fish, Fosdick, Hart, Hire, Howes, Murphy M. W., Normand, Seymour, Stocker, Stumpf—17.

The president announced a quorum present.

The minutes of yesterday's proceedings were read, amended and adopted.

Mr. Baum moved to reconsider the vote of yesterday on Mr. Shaw's amendment.

On a motion to lay Mr. Baum's motion on the table the yeas and nays were ordered, resulting as follows:

YEAS—Messrs. Barrett, Bell, Buckley, Campbell, Cook J. K., Cook T., Davies, Dufresne, Dupaty, Flood, Gastinel, Gaidry, Geier, Gorlinski, Harnan, Howes, Henderson, Knobloch, Maurer, Montamat, Morris, Murphy M. W., Normand, O'Conner, Orr, Payne J., Poynot, Pursell S., Schnurr, Spellicy, Smith, Stocker, Stauffer, Sullivan, Terry, Waters—36.

NAYS—Messrs. Abell, Ariail, Austin, Bailey, Baum, Beauvais, Boffil, Bromley, Burke, Collin, Cazabat, Crozat, Cutler, Decker, Duane, Edwards, Fish, Flagg, Foley, Fosdick, Hart, Healy, Heard, Hills, Hire, Howell, Kavanagh, Maas, Mann, Mayer, Murphy E., Newell, Ong, Pintado, Schroeder, Seymour, Shaw, Stumpf, Stiner, Wells, Wilson—41.

Consequently the motion to lay on the table was lost.

The question was then put on Mr. Baum's motion to reconsider the vote on Mr. Shaw's amendment, and the yeas and nays being demanded the following was the result:

YEAS—Messrs. Ariail, Austin, Baum, Bailey, Beauvais, Boffil, Bromley, Burke, Cazabat, Collin, Crozat, Cutler, Duane, Dupaty, Edwards, Fish, Flagg, Foley, Fosdick, Gaidry, Hart, Heard, Henderson, Hills, Hire, Howell, Kavanagh, Knobloch, Maas, Mann, Mayer, Murphy M. W., Newell, Ong, Pintado, Seymour, Shaw, Stumpf, Waters, Wenck, Wells, Wilson—42.

NAYS—Messrs. Abell, Barrett, Bell, Buckley, Campbell, Cook J. K., Cook T., Davies, Decker, Dufresne, Flood, Gastinel, Geier, Gorlinski, Harnan, Healy, Howes, Maurer, Montamat, Morris, Murphy E., Normand, O'Conner, Orr, Payne J., Poynot, Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stiner, Stocker, Stauffer, Sullivan, Terry—36.

Mr. Shaw's amendment was therefore reconsidered.

Mr. Foley moved to reject the amendment.

Mr. Montamat moved to lay Mr. Foley's motion on the table, whereupon Mr. Foley withdrew his motion, when the same was renewed by Mr. Mann.

The yeas and nays were ordered on the motion to reject the amendment, and the following vote was taken :

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Baum, Beauvais, Bell, Bofill, Bromley, Burke, Cazabat, Crozat, Cutler, Davies, Dupaty, Duane, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gaidry, Gorlinski, Hart, Healy, Heard, Henderson, Hills, Hire, Howell, Kavanagh, Knobloch, Maas, Mann, Mayer, Murphy E., Murphy M. W., Newell, Ong, Pintado, Seymour, Stumpf, Stiner, Thorpe, Waters, Wenck, Wells, Wilson—50.

NAYS—Messrs. Barrett, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Dufresne, Gastinel, Geier, Harnan, Howes, Maurer, Montamat, Morris, Normand, Orr, O'Conner, Payne J., Poynot, Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stauffer, Sullivan, Terry—30.

Consequently the amendment was rejected.

Mr. Terry offered the following substitute for article 11 of the report of the Committee on Judiciary Department, viz :

The judges, both of the Supreme and Inferior Courts, and justices of the peace, shall be elected by the qualified voters of the State; provided, that until two years after the present rebellious war is ended in this State, the proof of which shall be a proclamation from the President of the United States to that effect, the said judges and justices of the peace shall be appointed by the governor, by and with the advice and consent of the Senate, and the term of office as herein expressed and for which they shall have been so appointed, shall be stipulated in the commissions of the said judges and justices of the peace.

After that period, the governor shall issue his proclamation ordering an election for judges of the Supreme Court, Inferior Courts and justices of the peace, by the legal voters of the State, in accordance with the enactment contained in this article.

Mr. Wells moved to lay the substitute on the table, and the yeas and nays being demanded thereon the roll was called and the following vote taken :

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dupaty, Dufresne, Edwards, Fish, Foley, Fosdick,

Fuller, Gastinel, Gorlinski, Harnan, Hart, Healy, Heard, Henderson, Hills, Hire, Howell, Kavanagh, Maas, Mann, Maurer, Mayer, Murphy E., Murphy M. W., Newell, Normand, Ong, Pintado, Poynot, Schroeder, Schnurr, Shaw, Spellicy, Stiner, Stauffer, Thorpe, Waters, Wenck, Wells, Wilson—58.

NAYS—Messrs. Barrett, Bell, Buckley, Campbell, Flagg, Flood, Gaidry, Geier, Howes, Knobloch, Morris, O'Conner, Orr, Payne J., Pursell S., Seymour, Smith, Stocker, Stumpf, Sullivan, Terry—21.

Consequently Mr. Terry's substitute was laid on the table.

Mr. Montamat moved a recess of ten minutes. Lost.

Mr. Hills then offered the following substitute for article 11 :

The judges, both of the Supreme and Inferior Courts, shall be appointed by the governor, by and with the advice and consent of the Senate. The judges of the Supreme Court shall hold their offices for the term of twelve years, and the judges of the Inferior Courts (except justices of the peace) shall hold their offices during the term of ten years; but all appointments of judges, made by the present governor, shall expire with his term of office.

On a motion to lay Mr. Hills's substitute on the table, the yeas and nays were ordered with the following result :

YEAS—Messrs. Abell, Ariail, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Goldman, Gaidry, Haley, Hart, Heard, Hire, Howell, Howes, Knobloch, Maas, Maurer, Montamat, Morris, Murphy M. W., Mayer, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Pursell S., Seymour, Smith, Spellicy, Stiner, Stauffer, Sullivan, Terry, Wenck, Wilson—57.

NAYS—Messrs. Austin, Bailey, Campbell, Cazabat, Edwards, Fish, Fosdick, Gorlinski, Harnan, Henderson, Hills, Kavanagh, Murphy E., Newell, Ong, Schroeder, Schnurr, Shaw, Stocker, Stumpf, Thorpe, Waters, Wells—23.

Mr. Hills's substitute was therefore laid on the table.

Mr. Stiner offered the following substitute for article 11 :

The judges of the Supreme Court shall be appointed for the term of _____ years, and the judges of the Inferior Courts shall be appointed for the term of _____ years.

When the first appointments are made under this constitution, the chief justice shall be commissioned for _____ years, one of the associate justices for _____

years, one for ——— years, one for ——— years and one for ——— years.

The inferior judges shall be divided by lot into four classes, as nearly equal as can be, and the judges of the first class shall be commissioned for ——— years, those of the second for ——— years, those of the third for ——— years, and those of the fourth for ——— years.

Mr. Montamat offered the following amendment to the substitute :

The judges, both of the Supreme and Inferior Courts, except justices of the peace, shall be appointed by the governor, with the consent of the Senate and House of Representatives in joint session. The judges of the Supreme Court shall hold their offices for a term of eight years, and those of the Inferior Courts, except justices of the peace, for a term of six years.

Both substitute and amendment were laid on the table.

Mr. Smith offered the following substitute for article 11.

The judges of the Supreme and Inferior Courts shall be appointed by the governor during the existence of the present war, and for two years thereafter ; at the expiration of that time the judges of the Supreme Court shall be elected by the lower branch of the General Assembly, the judges of the Inferior Courts to be elected by the qualified voters of their respective districts, their term of office to be fixed by the Legislature.

On a motion to lay Mr. Smith's substitute on the table, the yeas and nays were called with the following result :

YEAS—Messrs. Abell, Ariail, Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Collin, Crozat, Cutler, Davies, Dupaty, Edwards, Fosdick, Fuller, Heard, Hills, Hire, Howell, Kavanagh, Newell, Normand, Ong, Shaw, Thorpe, Waters, Wenck, Wells, Wilson—31.

NAYS—Messrs. Barrett, Bell, Buckley, Campbell, Cazabat, Cook J. K., Cook T., Decker, Duane, Dufresne, Fish, Flagg, Flood, Foley, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Haley, Harnan, Hart, Henderson, Howes, Knobloch, Maas, Mann, Maurer, Montamat, Morris, Murphy E., Murphy M. W., Mayer, O'Connor, Orr, Payne J., Pintado, Poynot, Pursell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry—52.

The motion to lay on the table was therefore lost.

Mr. Baum offered the following substitute for Mr. Smith's substitute :

The judges both of the Supreme and Inferior Courts shall be appointed by the governor by and with the advice and consent of the Senate. The judges of the Supreme Court shall hold their offices during a term of ten years and those of the Inferior Courts during a term of seven years. Their terms shall commence with the date of their commission.

Provided, That appointments made during the existence of the present rebellion shall not be construed as within the meaning of this article.

The first appointments and confirmations under this article shall be made during the first session of the Legislature that may be held after the restoration of peace.

Mr. Baum's substitute was laid on the table by the following vote :

YEAS—Messrs. Abell, Ariail, Barrett, Bell, Buckley, Campbell, Cook J. K., Cook T., Decker, Duane, Dufresne, Dupaty, Fish, Flagg, Flood, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Harnan, Howes, Knobloch, Maurer, Montamat, Morris, Murphy M. W., Mayer, Normand, O'Connor, Orr, Payne, J., Poynot, Pursell J., Pursell S., Seymour, Smith, Stiner, Stauffer, Sullivan, Terry, Waters, Wells and Wilson—45.

NAYS—Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Collin, Cazabat, Crozat, Cutler, Davies, Edwards, Foley, Fosdick, Fuller, Healy, Hart, Heard, Hills, Hire, Howell, Kavanagh, Maas, Mann, Murphy E., Newell, Ong, Pintado, Schroeder, Schnurr, Shaw, Spellicy, Stoker, Stumpf, Thorpe and Wenck—37.

Mr. Baum moved to strike out all after the first three lines of Mr. Smith's substitute.

Laid on the table.

Mr. Baum then moved to adjourn.

Lost.

Mr. Cazabat offered the following as a substitute for Mr. Smith's substitute :

The judges both of the Supreme and Inferior Courts shall be elected by the qualified voters of their respective districts for the terms to be provided by the Legislature.

But the yeas and nays having been ordered on the adoption of Mr. Smith's substitute previous to Mr. Cazabat's offering his substitute, no action was taken thereon.

The vote was then taken, and Mr. Smith's substitute adopted, as follows :

YEAS—Messrs. Barrett, Baum, Bell, Buckley, Campbell, Cook J. K., Cook T., Decker, Duane, Dufresne, Duke, Fish, Flagg, Flood, Foley, Gastinel, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart,

Howes, Knobloch, Maas, Maurer, Montamat, Morris, Murphy M. W., Mayer, O'Conner, Orr, Payne J., Poynot, Purcell J., Pursell S., Schnurr, Seymour, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan and Terry—47.

NAYS—Messrs. Abell, Ariail, Austin, Bailey, Beauvais, Bofill, Bromley, Burke, Colin, Cazabat, Crozat, Cutler, Davies, Dupaty, Edwards, Fosdick, Fuller, Heard, Henderson, Hills, Hire, Howell, Kavanagh, Mann, Murphy E., Newell, Normand, Ong, Pintado, Shaw, Stumpf, Thorpe, Waters, Wenck, Wells and Wilson—36.

On motion of Mr. Hills the Convention then adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

SATURDAY, June 4th, 1864.

The Convention met pursuant to adjournment. The roll was called and the following members answered to their names :

Messrs. Abell, Ariail, Austin, Balch, Barrett, Baum, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Cook J. K., Crozat, Davies, Decker, Duane, Dufresne, Edwards, Flood, Foley, Geier, Goldman, Gorlinski, Gruneberg, Healy, Hart, Heard, Knobloch, Maas, Mann, Maurer, Mendiverri, Montamat, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Pintado, Poynot, Purcell Jno., Pursell S., Schroeder, Smith, Stumpf, Stiner, Stauffer, Sullivan, Terry, Wenck, Wilson and Mr. President—53.

There being no quorum, the sergeant-at-arms was directed to bring in absent members.

Messrs. Cook T., Dupaty, Flagg, Hills, Hire, Morris, Ong, Schnurr, Seymour, Shaw, Spellicy, Stocker and Waters entered and took their seats.

The president having temporarily vacated the chair, on motion of Mr. Waters, the secretary was called to the chair, and on motion of Mr. Gorlinski, Mr. Hills was chosen to preside as president *pro tem*.

The convention then adjourned until Monday next at 12 m.

Adopted.

JOHN E. NEELIS,
Secretary.

MONDAY, June, 6, 1864.

The Convention met and was called to order, pursuant to adjournment, Hon. E. H. Durell, president, in the chair, and the following members present, viz :

Messrs. Abell, Ariail, Balch, Baum, Bell, Bromley, Brott, Burke, Campbell, Cook T., Cook J. K., Crozat, Davies, Edwards, Ennis, Flagg, Foley, Fuller, Geier, Goldman, Gorlinski, Gruneberg, Gaidry, Hart, Heard, Henderson, Howell, Kavanagh, Knobloch, Maas, Maurer, Murphy E., Murphy M. W., Mayer, Newell, Normand, O'Conner, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stumpf, Stiner, Stauffer, Waters, Wilson—50.

There being no quorum, the sergeant-at-arms was directed to bring in absent members.

After some delay, the following members appeared and took their seats : Messrs. Austin, Bailey, Barrett, Bofill, Dufresne, Dupaty, Fish, Flood, Fosdick, Gastinel, Harnan, Hills, Hire, Howes, Kugler, Mann, Montamat, Morris, Orr, Paine J. T., Purcell J., Seymour, Shaw, Stocker, Sullivan, Terry and Thorpe—27.

The president announced a quorum present.

The minutes of Friday and Saturday were read and approved.

Mr. Montamat on behalf of the Committee Finance submitted the following report :

REPORT OF THE FINANCE COMMITTEE OF THE FUNDS APPROPRIATED FOR THE PAYMENT OF PER DIEM OF MEMBERS, MILEAGE AND SALARIES OF OFFICERS.

1864.

May 30, Balance on hand as per	
Report No. 7.....	\$37,043 40
May 30, Paid warrant	
No. 55.....	\$ 654 00
May 31, Paid warrant	
No. 56.....	385 00
June 1, Paid warrant	
No. 57.....	952 00
June 4, Paid warrant	
No. 58.....	2230 00
June 4, Paid warrant	
No. 59.....	1412 00
June 4, Paid warrant	
No. 60.....	1450 00
June 4, Paid warrant	
No. 62.....	1080 00
	\$8,163 00

June 6, 1864, balance on hand
this day.....\$28,880 40
Twenty-eight thousand eight hundred and
eighty dollars and forty cents.

JOHN P. MONTAMAT,
Chairman, *pro tem*, Finance Committee

AND AMENDMENT OF THE CONSTITUTION OF LOUISIANA. 105

REPORT OF THE FINANCE COMMITTEE OF THE FUNDS APPROPRIATED FOR CONTINGENT EXPENSES.

1864.
May 30, Balance on hand as per
per Report No. 7.....\$6,928 63
June 3, Paid Warrant No. 61.... 2,276 10

June 6, Balance on hand this day \$4,652 53
Four thousand six hundred and fifty-two
dollars and fifty-three cents.

JOHN P. MONTAMAT,

Chairman, *pro tem.*, Finance Committee.

Mr. Sullivan called up his resolution, which had been made the special order for to-day.

The president having decided that under the resolution heretofore adopted, in the following words, viz :

“Resolved, That after this date, May 31st, 1864, the order of the day shall be taken up immediately after the minutes have been read by the clerk and accepted by the Convention, and that Saturday of each week shall be appropriated to miscellaneous business,”

the report of the Judiciary Committee took precedence of Mr. Sullivan's resolution, which he decided was of a miscellaneous character, and could only be called up on Saturday.

Mr. Abell appealed from the decision of the president, on the ground that Mr. Sullivan's resolution had been made the order of the day for this day, previous to the adoption of the resolution upon which the president's decision was based.

The yeas and nays being taken on the appeal, resulted as follows : Messrs. Ariail, Austin, Barrett, Bromley, Burke, Campbell, Crozat, Davies, Dupaty, Edwards, Ennis, Fish, Flagg, Fosdick, Fuller, Gaidry, Goldman, Gruneberg, Heard, Hills, Hire, Howell, Knobloch, Kugler, Mann, Morris, Newell, Paine J. T., Pintado, Pursell S., Schroeder, Seymour, Shaw, Stumpf, Stauffer, Thorpe and Wilson, (37,) voted in favor of sustaining the decision of the president ; and Messrs. Abell, Balch, Bailey, Baum, Bell, Boffill, Buckley, Cook J. K., Cook T., Dufresne, Flood, Foley, Gastinel, Gorlinski, Harnan, Hart, Henderson, Howes, Kavanagh, Maas, Maurer, Mayer, Montamat, Murphy M. W., Normand, O'Conner, Orr, Poynot, Purcell J., Schnurr, Smith, Spellicy, Stiner,

Stocker, Sullivan, Terry and Waters, (37,) voted against the decision.

There being no quorum voting, Mr. Henderson moved a call of the House, when 76 members was found to be present.

Mr. Cutler having entered after the vote was taken, was, on motion of Mr. Sullivan, allowed to vote, which he did in favor of the appeal, whereupon the president declared that his decision was not sustained, and directed the secretary to read Mr. Sullivan's resolution, which is in the following words :

The city of New Orleans shall maintain a Police force, which shall be uniformed with distinction of grade, to consist of permanent resident citizens, of good character, to be selected by the mayor of the city, to hold office during good behavior, and removable only by a Police Commission, composed of five citizens, viz : one to be selected from each district of the city, the mayor to be president of the Board, the Commission to be appointed by the governor of the State, a majority of whom shall remove for delinquencies. Members of the Police, when removed, shall not again be eligible to any position on the Police for a term of one year.

The chief of police shall give a penal bond in the sum of ten thousand dollars ; lieutenants of police, each five thousand dollars ; sergeants, clerks and corporals, each three thousand dollars, and privates one thousand dollars each, with good and solvent security as the law directs for the faithful performance of their duty whilst acting in the capacity of Policemen.

The chief of police to receive per month.....\$275
The lieutenants “ “ 150
The sergeants “ “ 100
The clerks “ “ 100
The corporals “ “ 90
The privates (day and night) 80
which pay shall not be reduced.

Mr. Foley moved to strike out the number “ 275 ” and insert “ 200 ” as the salary per month of the chief of police.

Mr. Orr proposed the following proviso as an amendment to the resolution, viz :

Provided, That the compensation of all foremen, mechanics, cartmen and laborers employed on public works under the governments of the State of Louisiana, city of New Orleans, and Police Juries of the various loyal parishes of the State, shall also be increased to not less than the following rates, viz :

All foremen not less than \$3 50 per day.
All mechanics not less than \$3 00 per day

All cartmen not less than \$3 00 per day.
All laborers not less than \$2 00 per day.

Mr. S. Pursell moved to lay the the whole matter, including the resolution and amendments, on the table.

Mr. Abell raised the point of order, that a motion had heretofore been made to lay the resolution on the table and was lost, whereupon Mr. Pursell's motion was changed, to lay the amendments on the table, on which motion the yeas and nays were taken with the following result :

YEAS—Messrs. Abell, Bailey, Barrett, Baum, Bofill, Cutler, Gruneberg, Kavanagh and Normand—9.

NAYS—Messrs. Ariail, Austin, Balch, Bell, Bromley, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Davies, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Goldman, Gorlinski, Gaidry, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy M. W., Mayer, Newell, O'Conner, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wilson—66.

Consequently the motion to lay on the table was lost.

Messrs. Austin, Burke and Henderson first voted in the affirmative and subsequently changed their votes to the negative.

The question then recurred on the adoption of Mr. Orr's proviso, when the yeas and nays were called with the following result :

YEAS—Messrs. Abell, Ariail, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bromley, Buckley, Burke, Campbell, Cook J. K., Cook T., Crozat, Cutler, Davies, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Goldman, Gorlinski, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy M. W., Mayer, Normand, O'Conner, Orr, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters—67.

NAYS—Messrs. Bailey, Bofill, Cazabat, Gruneberg, Heard, Howell, Kavanagh, Newell, Paine J. T., Pintado—10.

Consequently Mr. Orr's proviso was adopted.

Mr. Abell first voted in the negative, and afterwards changed his vote to the affirmative.

Mr. Foley's amendment was then adopted.

On the adoption of Mr. Sullivan's resolution as amended, the yeas and nays were ordered, and being taken, resulted as follows :

AYES—Messrs. Abell, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Cook J. K., Cook T., Cutler, Dufresne, Fish, Flood, Foley, Fuller, Gastinel, Gorlinski, Gruneberg, Healy, Harnan, Hart, Henderson, Hire, Howes, Kavanagh, Kugler, Maas, Maurer, Montamat, Murphy M. W., Normand, O'Conner, Orr, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters—46.

NAYS—Messrs. Ariail, Austin, Balch, Bailey, Bennie, Bromley, Burke, Campbell, Cazabat, Crozat, Davies, Dupaty, Edwards, Ennis, Flagg, Fosdick, Goldman, Gaidry, Heard, Hills, Howell, Knobloch, Mann, Morris, Mayer, Newell, Paine J. T., Pintado, Seymour, Shaw, Thorpe—31.

Consequently the resolution as amended was adopted.

Messrs. Hire and S. Pursell first voted in the negative and subsequently changed their votes to the affirmative.

On motion of Mr. Smith the Convention then adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

TUESDAY, June 7, 1864.

Pursuant to adjournment the Convention met, and was called to order at 12 o'clock M. The roll was called, and the following members answered to their names :

Messrs. Abell, Bell, Bennie, Burke, Buckley, Cook J. K., Cook T., Crozat, Edwards, Ennis, Fish, Flagg, Foley, Geler, Gorlinski, Healy, Heard, Henderson, Knobloch, Mann, Mayer, Montamat, Morris, Normand, O'Conner, Pintado, Poynot, Pursell S., Spellicy, Shaw, Stumpf, Stiner, Stauffer, Sullivan and Mr. President—35.

After some delay the following members answered to their names :

Messrs. Austin, Bailey, Barrett, Baum, Beauvais, Bofill, Bromley, Campbell, Collin, Cutler, Davies, Flood, Fosdick, Fuller, Gastinel, Gaidry, Gruneberg, Harnan, Hart, Hills, Hire, Howell, Howes, Kugler, Maas, Maurer, Mendiverri, Murphy M.W., Murphy E., Newell, Ong, Orr, Purcell J., Schroeder

Seymour, Smith, Stocker, Terry, Thorpe, Waters, Wenck, Wilson—42.

A quorum was then announced as being present.

The minutes of yesterday's proceedings were read and adopted.

Mr. S. Pursell moved to reconsider the vote by which Mr. Sullivan's resolution was adopted on yesterday.

Mr. Bofill moved to lay Mr. Pursell's motion on the table, which motion was carried by the following vote :

YEAS—Messrs. Abell, Bailey, Baum, Bell, Beauvais, Bofill, Buckley, Cook J. K., Cook T., Cutler, Fish, Flagg, Flood, Foley, Gastinel, Geier, Gorlinski, Gruneberg, Harnan, Hart, Healy, Henderson, Howes, Maurer, Maas, Mendiverri, Montamat, Murphy M. W., Murphy E., O'Conner, Orr, Poynot, Smith, Schroeder, Seymour, Spellicy, Stocker, Stiner, Stumpf, Sullivan, Terry, Waters—42.

NAYS—Messrs. Austin, Balch, Bennie, Bromley, Burke, Campbell, Collin, Crozat, Davies, Ennis, Fosdick, Gaidry, Heard, Hire, Hills, Howell, Knobloch, Kugler, Mayer, Mann, Morris, Newell, Normand, Ong, Pintado, Pursell S., Shaw, Stauffer, Thorpe, Wenck, Wilson—31.

Mr. Baum moved a reconsideration of the vote adopting Mr. Smith's substitute for art. 11 of the report of the Committee on the Judiciary.

This motion was ruled out of order by the president, as being too late.

Mr. Cutler appealed from the decision of the chair, when the decision was sustained by a rising vote of 37 ayes to 35 nays.

A call of the House being ordered, 76 members answered to their names.

The order of the day was then taken up, and art. 12 of the report of the Committee on the Judiciary was read, as follows :

Art. 12. The clerks of the inferior courts shall be appointed by the judges thereof, and they shall hold their offices during good behavior, subject to removal by the judges respectively, with the right of appeal in all such cases to the Supreme Court.

The following substitutes and amendments were also read, viz :

Mr. Sullivan's substitute for art. 12.

The clerks in the inferior courts in this State shall be elected for the term of four years, and should a vacancy occur subsequent to an election, it shall be filled by the judge of the court in which the vacancy exists, and the person so appointed shall hold his office until the next general election.

Mr. Montamat offered the following amendment to the substitute, which was accepted by Mr. Sullivan, viz :

Art. 12. The clerks of the inferior courts shall be appointed by the governor during the existing war, and two years thereafter ; then, to be elected by the qualified voters for a term of four years.

On a motion to lay Mr. Montamat's amendment on the table the yeas and nays were called, with the following result :

YEAS—Messrs. Baum, Beauvais, Burke, Campbell, Collin, Foley, Fosdick, Gastinel, Gorlinski, Gruneberg, Hart, Hills, Howell, Howes, Knobloch, Kugler, Mann, Maurer, Morris, Normand, Orr, Pintado, Poynot, Pursell S., Schroeder, Stauffer, Waters, Wenck, Wilson—29.

NAYS—Messrs. Abell, Austin, Balch, Barrett, Bailey, Bell, Bennie, Bofill, Bromley, Buckley, Cook J. K., Cook T., Crozat, Cutler, Davies, Edwards, Ennis, Fish, Flagg, Flood, Gaidry, Geier, Harnan, Healy, Heard, Henderson, Hire, Maas, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, O'Conner, Ong, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe—46.

Consequently the motion to lay on the table was lost.

On the motion to adopt Mr. Sullivan's substitute as amended, the ayes and nays were called with the following result :

YEAS—Messrs. Abell, Balch, Barrett, Bell, Bennie, Bofill, Buckley, Burke, Cook T., Crozat, Edwards, Ennis, Fish, Flagg, Flood, Geier, Gaidry, Healy, Harnan, Henderson, Maas, Mendiverri, Montamat, Murphy E., Murphy M. W., Normand, O'Conner, Seymour, Shaw, Smith, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe—37.

NAYS—Messrs. Austin, Bailey, Baum, Beauvais, Bromley, Campbell, Collin, Cook J. K., Cutler, Davies, Foley, Fosdick, Gastinel, Gorlinski, Gruneberg, Hart, Heard, Hills, Hire, Howell, Howes, Knobloch, Kugler, Mann, Maurer, Morris, Mayer, Newell, Ong, Orr, Pintado, Poynot, Pursell S., Schroeder, Spellicy, Waters, Wenck, Wilson—38.

Consequently Mr. Sullivan's substitute was lost.

Mr. Stauffer then called for the reading of his substitute for Art. 12, which is in the following words :

Clerks of the inferior courts in this State shall be elected for the term of four years, and should a vacancy occur subsequent to an election it shall be filled by the Judge of the Court in which such vacancy exists.

and the person so appointed shall hold his office until the next general election.

Mr. Terry moved to strike out the word "four" in the second line of the substitute and insert the word "two." Laid on the table.

Mr. Stauffer's substitute was then adopted by the following vote :

YEAS—Messrs. Abell, Balch, Bailey, Barrett, Baum, Bell, Bofill, Buckley, Campbell, Collin, Cook J. K., Cook T., Davies, Ennis, Fish, Flagg, Flood, Gastinel, Geier, Gorkinski, Gruneberg, Healy, Harnan, Hart, Henderson, Howes, Knobloch, Maas, Maurer, Mendiverri, Montamat, Morris, Murphy E., Mayer, Orr, Poynot, Pursell S., Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters—47.

NAYS—Messrs. Austin, Beauvais, Bennie, Bromley, Burke, Crozat, Cutler, Edwards, Foley, Fosdick, Gaidry, Heard, Hills, Hire, Howell, Kugler, Mann, Murphy M. W., Newell, Normand, Ong, Pintado, Schroeder, Seymour, Stumpf, Wenck, Wilson—27.

Art. 13 was read and adopted as reported.

Art. 14 was read, together with the following substitute offered by Mr. Sullivan :

Art. 14. The jurisdiction of justices of the peace shall be limited in civil cases to cases where the matter in dispute does not exceed two hundred dollars exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall be elected by the qualified electors of each parish, district or ward, for the term of two years, in such manner, and shall have such criminal jurisdiction as shall be provided by law.

Mr. Flood offered an amendment to Mr. Sullivan's substitute, providing that all differences and disputes under twenty-five dollars, shall be finally settled by arbitration. Laid on the table.

Mr. Stiner offered an amendment to Mr. Sullivan's substitute, making the offices of justice of the peace appointive until two years after the present war, which amendment was laid on the table.

Mr. Flagg offered an amendment providing that justices of the peace shall be appointed by the governor, and shall hold their offices until two years after the proclamation of peace, after which time they shall be elected by the people, and further providing that their jurisdiction shall not exceed one hundred dollars.

Mr. Flagg's amendment was laid on the table by a rising vote of 45 ayes, 17 nays.

Mr. S. Pursell moved to amend Mr. Sullivan's substitute by striking out, in the fifth line, the word "two," and inserting the word "four," making the term of office four years.

A motion to lay Mr. Pursell's amendment on the table was lost, on a division, ayes 26, nays 47.

Mr. Pursell's amendment was then adopted.

The question was then put on the adoption of Mr. Sullivan's substitute as amended, when the same was adopted.

Art. 15 was then read, together with the following substitute, offered by Mr. Sullivan :

There shall be an attorney general, who shall be elected by the qualified voters of the State, and the district attorneys by the qualified voters of each district, on the day of the election of governor of the State. They shall hold their offices for a term of four years.

Mr. Terry moved to amend by inserting between the words "State and" the words "who shall receive a salary of five thousand dollars," which amendment was accepted by Mr. Sullivan.

On the question of the adoption of Mr. Sullivan's substitute, as amended, a division was ordered, resulting ayes 32, nays 40. The substitute was therefore lost.

Mr. Montamat moved to reconsider the vote by which Mr. Sullivan's substitute was rejected, which being carried, he then moved to strike out "five thousand dollars" and insert "four thousand dollars" as the salary of the attorney general.

Lost on a division of ayes 30, nays 39.

Mr. Sullivan's substitute as amended was then adopted on a division, ayes 42, nays 31.

Art. 16 was then read, together with the following substitute offered by Mr. Sullivan :

A sheriff and a coroner shall be elected in each parish by the qualified voters thereof, who shall hold their office for the term of two years, unless removed. The Legislature shall have the power to increase the number of sheriffs in any parish. Should a vacancy occur in either of these offices subsequent to an election, it shall be filled by the governor ; and the person so appointed shall continue in office until his successor shall be elected and qualified.

The Legislature may determine the mode

of filling vacancies in the offices of the inferior judges, attorney general, district attorneys, and all other officers not otherwise provided for in this constitution.

Mr. Henderson moved to amend by striking out "two years" in the second line, and inserting "four years."

Laid on the table.

Mr. Montamat moved to amend by making the term of office of the coroner one year, and of the sheriff two years.

Laid on the table.

Mr. Sullivan's substitute was then adopted.

The report of the committee on the Judiciary as amended was then adopted as a whole.

On motion the Convention adjourned.

Adopted.

JOHN E. NEELIS,

Secretary.

WEDNESDAY, JUNE 8, 1864.

The Convention met and was called to order pursuant to adjournment, Hon. E. H. Durell, president, in the chair. Fifty members answered to their names at first roll call.

After some delay, twenty-eight other members appeared and answered to their names, when a quorum was announced. Absent—the following members:

Messrs. Balch, Baum, Bonzano, Brott, Cazabat, Decker, Duane, Duke, Flagg, Fuller, Goldman, Kavanagh, Lobdell, Mills-paugh, Montague, Payne J., Paine J. T., Taliaferro and Thomas—19.

The journal of yesterday was read and approved.

Mr. Heard asked for a suspension of the rules, in order to allow him to present the following resolution:

Resolved, That from and after to-day every member who fails to answer to his name at roll-call, or within fifteen minutes thereafter, shall forfeit his per diem, unless he be absent by leave, or can furnish some legitimate excuse for his absence.

The reading of the resolution being called for, the secretary was directed to read it for the information of the Convention, which being done, Mr. Foley moved a suspension of the rules, in order to act upon the resolution; but objection being made, and two,

thirds of the members not voting in favor of the motion, the rules were not suspended.

Mr. Bofill moved a reconsideration of the vote of yesterday, adopting as a whole the report of the Committee on the Judiciary, as it had been amended by the Convention.

Mr. Smith moved to lay the motion to reconsider on the table, upon which motion the yeas and nays were demanded, and being taken, resulted as follows:

YEAS—Messrs. Austin, Buckley, Burke, Cook J. K., Flood, Harnan, Henderson, Howes, Maurer, Morris, Murphy M. W., Orr, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stauffer, Sullivan, Terry, Waters—24.

NAYS—Messrs. Abell, Ariail, Bailey, Barrett, Beauvais, Bell, Bennie, Bofill, Bromley, Campbell, Collin, Cook T., Crozat, Cutler, Davies, Dufresne, Dupaty, Edwards, Ennis, Fish, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Hart, Heard, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Montamat, Mendiverri, Murphy E., Mayer, Newell, Normand, O'Conner, Ong, Pintado, Seymour, Shaw, Stumpf, Stiner, Thorpe, Wenck, Wells, Wilson—54.

Consequently the motion was lost.

The question recurring on the motion to reconsider, the yeas and nays were demanded, and being taken, resulted as follows:

YEAS—Messrs. Abell, Ariail, Bailey, Barrett, Beauvais, Bennie, Bofill, Bromley, Burke, Campbell, Collin, Cook T., Crozat, Cutler, Davies, Dufresne, Dupaty, Edwards, Ennis, Fish, Foley, Fosdick, Gastinel, Gorlinski, Gaidry, Hart, Heard, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Mendiverri, Murphy E., Mayer, Newell, Normand, O'Conner, Ong, Pintado, Schroeder, Seymour, Shaw, Stumpf, Stiner, Thorpe, Waters, Wenck, Wells and Wilson—52.

NAYS—Messrs. Austin, Bell, Buckley, Cook J. K., Flood, Geier, Gruneberg, Healy, Harnan, Henderson, Howes, Maurer, Montamat, Morris, Murphy M. W., Orr, Poynot, Purcell J., Pursell S., Schnurr, Smith, Spellicy, Stauffer, Stocker, Sullivan, Terry—26.

Consequently the motion prevailed, and the vote was reconsidered.

On motion of Mr. Wilson, the whole report, with amendments, was recommitted to a special committee of nine members. The president appointed Messrs. Wilson, Bofill, Cutler, Abell, Poynot, Smith, Buckley, Purcell J., and Murphy M. W., to compose said committee.

The report of the Committee on Impeachment, being next in order, was taken up and read.

When, on motion of Mr. Foley, the Convention adjourned until 12 o'clock m., on Monday, the 13th inst.

Approved.

JOHN E. NEELIS,
Secretary.

MONDAY, June 13, 1864.

The Convention met and was called to order pursuant to adjournment, Hon. E. H. Durell, president, in the chair, and the following members present:

Messrs. Abell, Austin, Barrett, Bofill, Campbell, Collin, Cook J. K., Crozat, Dufresne, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Healy, Heard, Henderson, Hire, Howell, Howes, Maas, Maurer, Mayer, Mendiverri, Montamat, Morris, Newell, Normand, O'Connor, Payne J., Pintado, Poynot, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Wells and Wilson—48.

After some delay the following members appeared and answered to their names, when a quorum was announced as being present:

Messrs. Bailey, Baum, Bell, Bromley, Buckley, Cook T., Cutler, Davies, Duane, Dupaty, Flagg, Harnan, Hart, Hills, Kavanagh, Kugler, Mann, Murphy M. W., Paine J. T., Purcell J., Purcell S., Schroeder, Schnurr, Shaw, Thorpe, Waters and Wenck—27.

The journal of the last session was read and approved.

The special committee, to which had been recommitted the report of the Judiciary Committee, submitted the following report:

REPORT OF THE SPECIAL JUDICIARY COMMITTEE.
The Special Judiciary Committee respectfully submit the following report:

Article I. The Judiciary power shall be vested in a supreme court, in such inferior courts as the Legislature may, from time to time, order and establish, and in justices of the peace.

Art. II. The jurisdiction of the supreme court shall extend to all cases where the matter in dispute exceeds three hundred dollars, exclusive of interest; to all cases in which the constitutionality or legality of any tax, toll or impost whatsoever, or of any fine, forfeiture, or penalty imposed by a municipal corporation shall be in contestation; and to all criminal cases on questions

of law alone, whenever the offence charged is punishable with death, or imprisonment at hard labor, or when a fine exceeding three hundred dollars is actually imposed. It shall also exercise a general superintending control over all inferior and other courts of law, and shall have the power to issue the writs necessary for that purpose. The Legislature shall have power to restrict the jurisdiction of the supreme court in civil cases to questions of law only.

Art. III. The supreme court shall be composed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The chief justice shall receive a salary of \$7500 and each of the associate justices a salary of \$7000 annually, until otherwise provided by law. The court shall appoint its own clerks.

Art. IV. The supreme court shall hold its sessions in New Orleans from the first Monday in the month of November to the end of the month of June inclusive. The Legislature shall have power to fix the sessions elsewhere during the rest of the year; until otherwise provided, the sessions shall be held as heretofore.

Art. V. The supreme court, and each of the judges thereof, shall have power to issue writs of *habeas corpus* at the instance of all persons in actual custody under process, in all cases in which they may have appellate jurisdiction.

Art. VI. No judgment shall be rendered by the supreme court without the concurrence of a majority of the judges comprising the court. Whenever the majority cannot agree, in consequence of the recusal of any member or members of the court, the judges not recused shall have power to call upon any judge or judges of the inferior courts, whose duty it shall be, when so called upon, to sit in the place of the judge or judges so recused and to aid in determining the case.

Art. VII. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be, "the State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the "State of Louisiana," and conclude against the peace and dignity of the same.

Art. VIII. The judges of all courts within the State shall, as often as it may be possible so to do, in every definitive judgment, refer to the particular law in virtue of which such judgment may be rendered, and in all cases adduce the reasons on which their judgment is founded.

Art. IX. The judges of all courts shall be liable to impeachment; but for any reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any of them on the address of a majority of the members elected to each

House of the General Assembly. In every such case the cause or causes for which such removal may be required shall be stated in full in the address and inserted in the journal of each House.

Art. X. The salaries of the judges of the supreme and inferior courts shall not be changed during their term of office.

Art. XI. The judges both of the supreme and inferior courts and justices of the peace shall be appointed by the governor, by and with the advice and consent of the Senate. The judges of the supreme court to hold office for the term of six years, the judges of the inferior courts for four, justice of the peace for two—after which term the judges of the supreme, inferior and justices courts shall be elected by the legally qualified voters. Appointments in every instance to date from the ratification of this constitution by the people. The Legislature to fix the day for election.

Art. XII. The clerks of the inferior courts shall be appointed by the governor, for the same term as the judges, but, on the commission of any crime, may be moved, with the power of an appeal to the supreme court. After the service of this term they shall be elected by the legally qualified voters for the same term as the judges.

Art. XIII. The Legislature shall have power to vest in clerks of courts authority to grant such orders and do such acts as may be deemed necessary for the administration of justice ; but in all such cases the powers thus granted shall be specified and determined.

Art. XIV. Justices of the peace shall have jurisdiction in civil cases, the sum not to exceed one hundred dollars, exclusive of interest. They shall receive a salary of \$2500 in the city, and the Legislature shall fix the salaries in the country parishes. Returns shall be made by them quarterly to the auditor of public accounts under oath, and all fees received over the above salary must be faithfully returned to said auditor.

Art. XV. There shall be an attorney general for the State. He shall be appointed by the governor, by and with the advice and consent of the Senate, and shall hold his office for the term of four years, after which term he shall be elected by the legal voters. He shall receive a salary of \$5000.

Art. XVI. There shall be as many district attorneys appointed by the governor, by and with the advice and consent of the Senate, as may be hereafter found necessary, their term of office to be two years from the date of the ratification of this constitution. The Legislature to fix their salaries, and declare office elective after first term.

Art. XVII. A coroner shall be appointed by the governor, by and with the advice

and consent of the Senate, for two years. After which term he shall be elected. The General Assembly to fix his salary at its first session.

Art. XVIII. The governor shall appoint, by and with the advice and consent of the Senate, sheriffs for the several parishes of the State. They shall hold office for two years. The Legislature shall have the power to increase the number of the sheriffs in any of the parishes whenever it may be deemed necessary. They shall be all elected after the first term, which dates, as in every other case, in this report, from the ratification of this constitution by the legally qualified voters of this State.

Art. XIX. Grand and petit jurors shall be paid the sum of three dollars and a half per day for each day of service during term.

(Signed) J. H. WILSON, Chairman.
CHARLES SMITH,
JNO. PURCELL,
O. H. POYNOT,
M. W. MURPHY,
JOHN BUCKLEY, JR.

Mr. Hills moved a suspension of the rules in order to put the report on its second reading.

Mr. Sullivan moved to lay Mr. Hills's motion on the table. Lost.

The question recurring on Mr. Hills's motion, and two-thirds not voting in its favor, the rules were not suspended.

Mr. Sullivan moved that the report be printed and made the order of the day for Monday next.

Mr. Hills amended the motion by making the report the order of the day for to-morrow. The amendment was adopted, and the motion prevailed as amended.

Mr. Thorpe asked for a suspension of the rules in order to allow him to introduce a resolution, which was read for information; but two-thirds not voting in favor of the motion to suspend the rules, the request was not granted.

The Committee on Finance submitted the following :

REPORT OF THE FINANCE COMMITTEE OF THE
STATE CONVENTION OF THE FUNDS APPROPRIATED FOR THE PAYMENT OF PER DIEM AND
SALARIES AND MILEAGE.

1864.

June 6, Balance on hand as per	
Report No. 8.....	\$28,888 40
June 6, Paid warrant	
No. 63.....	\$1390 00
June 7. Paid warrant	
No. 64.....	84 00

June 11, Paid warrant	
No. 66.....	4180 00
June 11, Paid warrant	
No. 67.....	2520 00
June 13, Paid warrant	
No. 68.....	2139 00
	\$10,313 00

June 13, 1864, balance on hand
this day.....\$18,567 40
Eighteen thousand five hundred and sixty-seven dollars and forty cents.

June 8, 1864, the sum of six thousand one hundred and thirty-nine dollars and thirteen cents (\$6,139 13) was paid per warrant No. 65, to the city of New Orleans, (out of the funds appropriated for that special purpose.)

Respectfully submitted.

JOHN P. MONTAMAT,

Chairman *pro tem.* Finance Committee.

REPORT OF THE FINANCE COMMITTEE OF THE
STATE CONVENTION OF THE FUNDS APPROPRIATED
FOR CONTINGENT EXPENSES.

No warrant having been drawn since the last report No. 8, the balance on hand still remains, viz:.....\$4,652 53

Respectfully submitted,

JOHN P. MONTAMAT,

Chairman *pro tem.* Finance Committee.

The report of the Committee on Impeachment being next in order, was taken up and read by the secretary.

A call of the House was demanded, and being taken 67 members answered to their names.

On motion, the Convention adjourned until 12 o'clock M. to-morrow.

Approved.

JOHN E. NEELIS.

Secretary.

TUESDAY, June 14, 1864.

The Convention met and was called to order pursuant to adjournment, Hon. E. H. Durell, president, in the chair, and the following members present:

Messrs. Abell, Austin, Balch, Bell, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Davies, Decker, Dufresne, Duke, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Gorlinski, Harnan, Howes, Maas, Mann, Maurer, Mayer, Murphy E., Murphy M. W., Newell, Normand, Payne J., Purcell J., Pursell S., Schroeder, Smith, Stocker, Stumpf, Stiner, Stauffer, Terry, Waters, Wilson—48.

After considerable delay, the following members appeared and answered to their names: Messrs. Bailey, Barrett, Beauvais,

Bofill, Cutler, Dupaty, Fuller, Gastinel, Gaidry, Healy, Hart, Hills, Hire, Howell, Kugler, Mendiverri, Montamat, O'Conner, Ong, Orr, Paine J. T., Pintado, Seymour, Shaw, Sullivan, Thorpe, Wenck, Wells—28.
Absent—Messrs. Ariail, Baum, Bennie, Bonzano, Brott, Duane, Edwards, Goldman, Gruneberg, Heard, Henderson, Kavanagh, Knobloch, Lobdell, Millsbaugh, Montague, Morris, Poynot, Schnurr, Spellicy, Taliaferro, Thomas—22.

A quorum being present, on motion of Mr. Montamat, the reading of the minutes was dispensed with.

Mr. Terry asked for a suspension of the rules, in order to present the following resolution:

Resolved, That from and after the 14th day of June all members absent fifteen minutes after the first roll-call, without a good and sufficient excuse, shall forfeit their *per diem*.

The resolution having been read for information, the rules were suspended and the same was taken up for action.

Mr. Mann offered the following substitute:

Whereas, Members of this Convention, elected by the people for the purpose of amending and revising the constitution of the State of Louisiana, have absented themselves without permission, or giving any reason therefor; therefore, be it

Resolved, That from and after this date each and every member of this body, who shall not have been granted leave of absence for cause that is satisfactory to this Convention, who are not present to answer to his or their name, at 12 o'clock roll-call, they shall not be allowed their *per diem*, for each and every day that they are delinquent; and the secretary is hereby required to furnish to the chairman of the Finance Committee the names of delinquents, that the deductions from their *per diem* may be made, for each and every day of such delinquency.

The substitute was accepted, and on motion the same was adopted.

Mr. Abell asked leave of absence for Mr. Heard. The request was not granted.

ORDER OF THE DAY.

The president declared the report of the special Committee on the Judiciary as the order of the day, on its second reading, and called Mr. Abell to the chair.

The report having been read by the sec-

retary, Mr. Stocker offered the following substitute :

MR. STOCKER'S SUBSTITUTE TO THE REPORT OF THE SPECIAL JUDICIARY COMMITTEE.

Article I. The judiciary power shall be vested in a supreme court, in such inferior courts as the Legislature may, from time to time, order and establish, and in justices of the peace.

Art. II. The supreme court, except in cases hereafter provided, shall have appellate jurisdiction only ; which jurisdiction shall extend to all cases when the matter in dispute shall exceed three hundred dollars ; to all cases in which the constitutionality or legality of any tax, toll or impost whatsoever, or of any fine, forfeiture or penalty imposed by a municipal corporation, shall be in contestation ; and to all criminal cases on questions of law alone whenever the offence charged is punishable with death or imprisonment at hard labor, or when a fine exceeding three hundred dollars is actually imposed.

Art. III. The supreme court shall be composed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The court shall appoint its own clerks.

Art. IV. The supreme court shall hold its sessions in New Orleans from the first Monday of the month of November to the end of the month of June inclusive. The Legislature shall have power to fix the sessions elsewhere during the rest of the year : until otherwise provided, the sessions shall be held as heretofore.

Art. V. The supreme court and each of the judges thereof shall have power to issue writs of *habeas corpus*, at the instance of all persons in actual custody under process, in all cases in which they may have appellate jurisdiction.

Art. VI. No judgment shall be rendered by the supreme court without the concurrence of a majority of the judges comprising the court. Whenever the majority cannot agree, in consequence of the recusal of any member or members of the court, the judges not recused shall have power to call upon any judge or judges of the inferior courts, whose duty it shall be, when so called upon, to sit in the place of the judge or judges recused, and to aid in determining the case.

Art. VII. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be "the State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the State of Louisiana, and conclude against the peace and dignity of the same.

Art. VIII. The judges of all courts within the State shall, as often as it may be pos-

sible so to do, in every definitive judgment refer to the particular law in virtue of which such judgment may be rendered, and in all cases adduce the reasons on which their judgment is founded.

Art. IX. The judges of all courts shall be liable to impeachment ; but for any reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any of them, on the address of a majority of the members elected to each House of the General Assembly. In every such case the cause or causes for which such removal may be required shall be stated at length in the address, and inserted in the journal of each House.

Art. X. The judges both of the supreme and inferior courts shall, at stated times, receive a salary which shall be fixed by the Legislature ; and they are prohibited from receiving any fees of office or other compensation than their salaries for any civil duties performed by them.

Art. XI. The chief justice of the supreme court shall be elected by the qualified voters of the State, and the associate judges of the supreme court, together with the judges of the inferior courts, shall be elected by the qualified voters of their several districts, as determined by the Legislature, and they shall hold their several offices during such term or terms as shall be fixed by the Legislature.

Art. XII. The clerks of the inferior courts shall be elected by the qualified voters of their several districts, and shall hold their offices during such term or terms as shall be fixed by the Legislature, subject to removal by the judges respectively, with the right of appeal in all such cases to the supreme court.

Art. XIII. The Legislature shall have power to vest in clerks of courts authority to grant such orders and do such acts as may be deemed necessary for the furtherance of the administration of justice, and in all cases the powers thus granted shall be specified and determined.

Art. XIV. The jurisdiction of justices of the peace shall not exceed, in civil cases, the sum of one hundred dollars, exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall be elected by the qualified voters of their several districts, and shall hold their offices during such term or terms as shall be fixed by the Legislature. They shall have such criminal jurisdiction as shall be provided by law.

Art. XV. There shall be an attorney general for the State, and as many district attorneys as may be hereafter found necessary. The attorney general shall be elected by the qualified voters of the State ; the district attorneys shall be elected by the qualified voters of their several districts. The

attorney general and district attorneys shall severally hold their offices during such term or terms, and shall severally receive such salaries as shall be determined by the Legislature.

Art. XVI. A sheriff and coroner shall be elected for each parish by the qualified voters of the same; and they shall severally hold their offices for such term or terms, and shall receive such remuneration for their services as the Legislature may determine.

Mr. Smith moved to reject the substitute, but subsequently withdrew his motion.

A motion to adjourn was lost.

Mr. Foley moved that the substitute be taken up section by section, upon which motion Mr. Hills called the previous question, which was seconded.

The President resumed the chair, when sections one and two of the substitute were severally read and adopted.

Section three having been read, Mr. Montamat moved to adjourn, upon which motion the yeas and nays were demanded, and being taken, resulted as follows:

YEAS—Messrs. Balch, Bailey, Barrett, Beauvais, Burke, Cook J. K., Cook T., Crozat, Decker, Duke, Gruneberg, Gaidry, Healy, Harnan, Knobloch, Maas, Mendi-verri, Montamat, Murphy E., Murphy M. W., Orr, O'Conner, Ong, Payne J., Schroeder, Seymour, Sullivan, and Waters—28.

NAYS—Messrs. Abell, Austin, Bell, Bofill, Bromley, Campbell, Collin, Cazabat, Cutler, Davies, Dufresne, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Hart, Henderson, Hills, Hire, Howell, Howes, Kugler, Mann, Maurer, Mayer, Newell, Normand, Paine J. T., Pintado, Purcell J., Purcell S., Shaw, Smith, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wells and Wilson—48.

Consequently the Convention refused to adjourn.

The question recurring on the third article, Mr. Howell offered the following amendment:

The chief justice shall receive a salary of \$7500, and each of the associate justices a salary of \$7000, annually, until otherwise provided by law.

A *viva voce* vote having been taken, the amendment was declared lost.

On motion the Convention adjourned until 12 o'clock m., to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, June 15, 1864.

The Convention met and was called to order pursuant to adjournment.

Present, Hon. E. H. Durell, president, in the chair, and the following members:

Messrs. Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Purcell J., Purcell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells and Wilson—83.

Absent: Messrs. Ariail, Balch, Bennie, Bonzano, Brott, Edwards, Goldman, Heard, Lobdell, Millsbaugh, Montague, Poynot, Taliaferro and Thomas—15.

On motion of Mr. Spellicy, Mr. Poynot's absence was excused on account of sickness.

The journal of yesterday was read and approved.

The president laid before the Convention the following communication from Mr. Goldman:

NEW ORLEANS, June 7, 1864.

To the president and members of the Constitutional Convention.

GENTLEMEN—The undersigned hereby tenders his resignation as a member of the "Louisiana State Convention." Having come into that honorable body with the intention to assist in accomplishing the work of statesmen, and not that of municipal politicians, I consider this course consistent and even incumbent upon me after yesterday's action in passing the police bill.

I have the honor to remain respectfully yours, etc.,

EDMUND GOLDMAN.

On motion, Mr. Goldman's resignation was accepted, by a rising vote of 40 yeas to 32 nays.

Mr. Gruneberg presented the following, which was ordered to lay over under the rules:

Resolved, That the sergeant-at-arms, or his assistants, be sent instantler to summon before this Convention all the members ab-

sent, whether residing inside or outside of New Orleans, and compel their attendance.

And resolved, That the traveling or other expenses incurred by the sergeant-at-arms, or his assistants, for the purposes aforesaid, shall be collected from the members so in default.

ORDER OF THE DAY.

The Convention resumed the consideration of Mr. Stocker's substitute for the report of the Special Committee on the Judiciary. The third article of said substitute being under consideration,

On the suggestion of Mr. Hills that the amendment of Mr. Howell to the third article of the substitute had been rejected through a misunderstanding, a second vote was taken thereon, when the same was adopted, by a rising vote of ayes 54, nays 12.

The third article was then adopted as amended.

Articles 4, 5, 6, 7, 8 and 9 were severally read and adopted.

Article 10 being read, on motion of Mr. Howell it was amended by striking out the words "fixed by the Legislature," and inserting in lieu thereof the words, "not be diminished during their continuance in office."

The section was then adopted as amended.

Article 11 was read, when Mr. Bofill offered the following substitute :

The judges of the Supreme Court shall be appointed by the governor, by and with the advice and consent of the Senate, for a term of eight years. The judges of the inferior courts for a term of six years.

Mr. Stauffer moved to lay the substitute on the table, whereupon the yeas and nays were called, with the following result :

YEAS—Messrs. Bell, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Duke, Dupaty, Flagg, Flood, Geier, Gorlinski, Gruneberg, Gaidry, Harnan, Howes, Knobloch, Maas, Mayer, Morris, O'Conner, Orr, Purcell J., Pursell S., Schnurr, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan, Terry—33.

NAYS—Messrs. Abell, Austin, Bailey, Barrett, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Crozat, Cutler, Davies, Dufresne, Duane, Ennis, Fish, Foley, Fosdick, Fuller, Gastinel, Healy, Hart, Henderson, Hills, Hire, Howell, Kavanagh, Kugler, Mann, Maurer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, Normand, Ong, Payne J., Paine J. T., Pintado, Schroeder,

Seymour, Shaw, Stumpf, Thorpe, Waters, Wenck, Wells, Wilson—50.

Consequently the motion to lay on the table was lost.

Mr. Ong moved to amend the substitute by striking out the word "eight" and inserting the word "nine," and also by striking out the word "six" and inserting the word "seven" in lieu thereof, which amendment was laid on the table.

Mr. Smith offered the following substitute :

Art. 11. The judges, both of the supreme and inferior courts, shall be appointed by the governor. The judges of the supreme court to hold office for the term of six years, the judges of the inferior courts for four years, after which term the judges of the supreme and inferior courts shall be elected by the legally qualified voters. Appointments in every instance to date from the ratification of this constitution by the people.

On motion, Mr. Smith's substitute was laid on the table.

On the question of the adoption of Mr. Bofill's substitute, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Abell, Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Crozat, Cutler, Davies, Duane, Dufresne, Ennis, Fish, Foley, Fosdick, Fuller, Gastinel, Healy, Hart, Henderson, Hills, Hire, Howell, Kavanagh, Kugler, Mann, Maurer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, Normand, Ong, Payne J., Paine J. T., Pintado, Schroeder, Seymour, Shaw, Spellicy, Stumpf, Thorpe, Waters, Wenck, Wells and Wilson—50.

NAYS—Messrs. Barrett, Bell, Buckley, Campbell, Collin, Cook J. K., Cook T., Decker, Duke, Dupaty, Flagg, Flood, Geier, Gorlinski, Gruneberg, Gaidry, Harnan, Howes, Knobloch, Maas, Mayer, Morris, O'Conner, Orr, Purcell J., Pursell S., Schnurr, Smith, Stocker, Stiner, Stauffer, Sullivan and Terry—33.

Consequently Mr. Bofill's substitute was adopted.

Mr. Montamat offered an amendment providing that clerks of the inferior courts shall be appointed for the same term as the respective judges, but for any crime may be removed by the Supreme Court.

Laid on the table.

Mr. Smith moved to strike out of Mr. Stocker's substitute for article 12 the words "and shall hold their offices during such term or terms as shall be fixed by the Legislature."

Laid on the table.

On the adoption of article 12 of Mr. Stocker's substitute, a division was called, resulting—ayes 29, noes 50.

Mr. Fosdick moved to reconsider the vote on the substitute for article 12. Carried.

Mr. Hills moved to strike out the words, "by the judges respectively," and insert the words, "by the Legislature." Lost.

Mr. S. Pursell moved to strike out all after the words "Legislature," in the third line.

Mr. Hills moved to amend by striking out all after the word "offices," in the second line, and insert the words, "during a term of four years," which amendment was adopted. The substitute for article 12 was then adopted as amended.

Article 13 of the substitute was then adopted, and article 14 was taken up.

Mr. Sullivan moved to strike out the words "one hundred" and substitute therefor the words "two hundred."

Laid on the table.

Mr. Smith moved to strike out "one hundred" and insert "seventy-five" in lieu thereof.

Laid on the table.

Mr. Thorpe offered the following substitute to article 14:

The jurisdiction of justices of the peace shall not exceed in civil cases the sum of one hundred dollars, exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall hold their offices during such term or terms as shall be fixed by the Legislature. They shall have such criminal jurisdiction as shall be provided by law. Returns shall be made by them, under oath, quarterly to the auditor of public accounts; and all fees received over the fixed salary must be faithfully returned to said auditor. A failure to make such returns as herein provided shall be cause of removal. They shall be appointed by the governor, by and with the advice and consent of the Senate.

On Mr. Sullivan's motion to lay Mr. Thorpe's substitute on the table, a division was called for, resulting—ayes 43, noes 32; consequently the substitute was laid on the table.

Mr. Hills moved to amend by striking out of the 4th line the words "be elected by the qualified voters," and inserting the words "be appointed by the governor, by

and with the advice and consent of the Senate." Lost.

Mr. Terry called for the previous question. Lost.

Mr. Montamat moved to amend by making the term of office of justices of the peace two years, upon which a division was called resulting—ayes 41, noes 32; consequently the amendment was adopted.

Article 14 as amended was then adopted, and article 15 of the substitute was taken up.

Mr. Bell offered the following substitute:

There shall be an attorney general for the State and as many district attorneys as may hereafter be found necessary.

The attorney general shall be elected every four years, by the qualified voters of the State. He shall receive a salary of \$5000 per annum, payable on his own warrant quarterly.

The district attorneys shall be elected by the qualified voters of their respective districts, for a term of four years. They shall receive such salaries as shall be provided by the Legislature.

A motion to lay on the table being lost, Mr. Bell's substitute was adopted on a rising vote—ayes 58, noes 22.

Article 16, of Mr. Stocker's substitute, being read, Mr. Sullivan offered the following substitute:

A sheriff and a coroner shall be elected in each parish by the qualified voters thereof, who shall hold their offices for the term of two years, unless sooner removed.

The Legislature shall have the power to increase the number of sheriffs in any parish. Should a vacancy occur in either of these offices subsequent to an election, it shall be filled by the governor, and the person so appointed shall continue in office until his successor shall be elected and qualified.

A motion to lay on the table being lost, Mr. Stocker moved to strike out the words "unless sooner removed." Carried.

The substitute was then adopted.

Mr. S. Pursell offered the following as an additional article:

Art. 17. The governor shall fill, by appointment, all offices whose election are provided for in this title, who shall hold their various positions for the same terms as if elected, dating from the time of the ratification of this constitution, except in the parish of Orleans, in which elections shall be ordered by the first Legislature held under this constitution.

On motion of Mr. Montamat, the additional article was laid on the table.

The substitute, as amended, was then adopted, as a whole, by the following vote :

YEAS—Abell, Austin, Bailey, Baum, Beauvais, Bofill, Bromley, Burke, Cazabat, Cook J. K., Crozat, Cutler, Davis, Decker, Duane, Dufresne, Ennis, Fish, Flagg, Foley, Fosdick, Fuller, Gastinel, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Kavanagh, Kugler, Maas, Mann, Maurer, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Newell, O'Conner, Ong, Payne J., Paine J. T., Pintado, Purcell J., Schroeder, Schnurr, Shaw, Spellicy, Stumpf, Stiner, Thorpe, Waters Wenck, Wilson—60

NAYS—Barrett, Bell, Buckley, Campbell, Collin, Cook T., Duke, Dupaty, Flood, Geier, Howes, Knobloch, Mayer, Normand, Orr, Pursell S., Seymour, Smith, Stocker, Stauffer, Sullivan, Terry, Wilson—23.

On motion of Mr. Stocker, the rules were suspended and the substitute as amended taken up on a third reading.

Mr. Henderson offered the following rider :

Art. 2. The supreme court, except in cases otherwise provided in this constitution, shall have appellate jurisdiction only, which jurisdiction shall extend to all cases when the matter in dispute shall exceed three hundred dollars exclusive of interest ; to all cases in which the constitutionality or legality of any tax, toll or impost whatsoever, or of any fine, forfeiture or penalty imposed by a municipal corporation shall be in contestation, and to all criminal cases, both as to law and fact, with such exceptions and under such regulations as the Legislature shall make.

Mr. Montamat moved to lay on the table. Carried.

The yeas and nays were ordered on the adoption of Mr. Stocker's substitute, as amended on its third reading, resulting as follows :

YEAS—Messrs. Abell, Austin, Baum, Bailey, Beauvais, Bofill, Bromley, Burke, Cazabat, Cook J. K., Crozat, Cutler, Davies, Dufresne, Duane, Ennis, Fish, Flagg, Foley, Fosdick, Fuller, Gastinel, Gaidry, Gorlinski, Gruneberg, Healy, Harnan, Hart, Hills, Hire, Howell, Kavanagh, Kugler, Maurer, Maas, Mann, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Paine J. T., Pintado, Purcell J., Schroeder, Schnurr, Shaw, Stumpf, Stiner, Thorpe, Waters, Wells, Wenck—58.

NAYS—Messrs. Barrett, Bell, Buckley,

Campbell, Collin, Cook T., Decker, Duke, Dupaty, Flood, Geier, Henderson, Howes, Knobloch, Mayer, Orr, Pursell S., Seymour, Smith, Spellicy, Stocker, Stauffer, Sullivan, Terry, Wilson—25.

Mr. Bofill moved a reconsideration of the vote by which the substitute was adopted on its third reading, which being lost, the Convention adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

THURSDAY, June 16, 1864.

The Convention was called to order pursuant to adjournment. Present, Hon. E. H. Durell, president, in the chair, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—83.

Absent—Messrs. Ariail, Bennie, Bonzano, Brott, Duke (excused,) Edwards (excused,) Heard, Lobdell, Millspaugh, Montague, Newell, Poynot (excused,) Taliaferro and Thomas—14.

On motion of Mr. Smith, Mr. Balch was excused for his absence on yesterday.

On motion of Mr. Knobloch, Mr. Duke was excused for non-attendance.

On motion of Mr. Wells, Mr. Edwards was excused for non-attendance.

The journal of yesterday was read and approved.

On motion, Mr. Henderson was allowed to change his vote on the the third reading of the judiciary bill, from "no" to "yes."

ORDER OF THE DAY.

The report of the Committee on Impeachment, being the order of the day, was taken up on its second reading.

The first section was read and adopted.

The second section was read, when Mr. Harnan moved to amend by striking out

the words "two-thirds" and inserting the word "majority." Lost.

On motion of Mr. Hills, the second line was amended by inserting after the word "treasurer" the words "auditor of public accounts."

On motion of Mr. Foley, lines eight and nine were amended by striking out the words "two-thirds present," and inserting the words "a majority elected."

The second section was then adopted as amended.

The third section was read and adopted.

The fourth section was read, when, on motion of Mr. Wilson, the word "such" was substituted for the word "each," in the third line, and the section was then adopted as amended.

The fifth section was read and adopted.

The report was then adopted as a whole on its second reading.

On motion of Mr. Hills, the rules were suspended for the purpose of putting the report on its third reading.

On the adoption of the report on its third reading, the yeas and nays were ordered, with the following result:

YEAS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Gaidry, Geier, Gorlinski, Grunenberg, Healy, Harnan, Hart, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Wilson—76.

NAYS—Messrs. Dupaty, Henderson, Waters, Wenck, Wells—5.

Consequently the report passed its third reading.

Mr. Thorpe moved a reconsideration of the vote just taken, which motion was laid on the table.

The report of the Committee on General Provisions was next taken up and read.

Mr. Sullivan being in the chair, Mr. Cutler moved the following:

Article 1. Slavery and involuntary servitude are forever abolished and prohibited

throughout this State, and the Legislature shall make no laws recognizing the right of property in man.

The president having taken the chair, decided the proposition out of order, inasmuch as the report of the Committee on Emancipation, containing a like provision, had passed its third reading, and become a part of the constitution, it cannot be inserted in another report, where it might be rejected.

Mr. Cutler appealed from the decision of the chair, but subsequently withdrew his appeal, as well as the original proposition.

Articles 1 and 2 were read and adopted.

Article 3 being read, Mr. Stauffer moved to strike out all after the word "treason," in the second line, which motion was lost.

Mr. Hills moved to strike out, in the second and third lines, the words "or forfeiture," which was tabled, on a rising vote of 43 ayes, 23 noes.

Articles 3, 4 and 5 were then adopted, without amendment.

Article 6 being read, Mr. Montamat moved to amend by inserting a proviso that "no negro be allowed to vote."

The president ruled that the question of the qualification of voters had been disposed of under the title of "Legislative Department," and could not again be brought up.

Mr. Montamat appealed from the decision of the chair, whereupon the yeas and nays were called, resulting as follows:

YEAS—Messrs. Austin, Bailey, Baum, Beauvais, Bell, Bromley, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Mann, Mayer, Murphy E., Normand, Ong, Payne J., Paine J. T., Pintado, Pursell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wenck—60.

NAYS—Messrs. Abell, Balch, Bofill, Buckley, Campbell, Decker, Dufresne, Gastinel, Maas, Maurer, Mendiverri, Montamat, Murphy M. W., Orr, Sullivan, Waters, Wilson—17.

Consequently the decision of the chair was sustained.

The president here stated to the Conven-

tion that the rules require a two-thirds vote to over-rule a decision of the chair, but that he had heretofore waived this rule in deference to the Convention.

Mr. Sullivan offered the following :

No negro shall be allowed to practice law or physic in this State, nor shall they be taught or instructed in the art or mystery of any trade or profession, under such penalties as may be fixed by the Legislature.

Laid on the table by a rising vote of 48 ayes to 20 nays.

Article 6 was then adopted as reported.

Article 7 being read, Mr. Hills moved to amend by adding : "No negro shall be allowed to draw money from the State treasury."

A motion to lay the amendment on the table being lost, the Convention adjourned, on a rising vote of ayes 35, nays 34.

Approved.

JOHN E. NEELIS.
Secretary.

FRIDAY, June 17, 1864.

Pursuant to adjournment, the Convention met at 12 o'clock m., Hon. E. H. Durell, president, in the chair.

The roll was called and the following members found to be present :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—85.

Absent : Messrs. Ariail, Bennie, Bonzano, Brott, Edwards, (excused) Heard, Lobdell, Millsbaugh, Montague, Poynot, (excused) Taliaferro and Thomas—12.

The minutes of yesterday were read and adopted.

The report of the Committee on General Provisions being the order of the day, was taken up.

Articles 7 and 8 were read and adopted.

Article 9 was read, together with the following substitute, offered by Mr. Samuel Pursell, viz :

Art. 9. All civil officers for the State at large shall be voters of and reside within the State, and all district or parish officers shall be voters of and reside within their respective parish or district, and shall keep their offices at such places therein as may be required by law.

The question being put on Mr. Pursell's substitute, the same was adopted.

Upon article 10 being read, Mr. Smith moved to amend by striking out the words "and inferior courts," in the second line, which being lost, a rising vote was taken on the adoption of the article as reported, resulting in ayes 22 nays 35. Consequently the article was rejected.

Article 11 was then taken up and read.

Mr. Smith moved to amend by striking out, in the last line, the words "*viva voce*" and inserting "yeas and nays."

Mr. Samuel Pursell, with the consent of Mr. Smith, moved a reconsideration of the vote just taken on article 10, which being carried, Mr. Abell moved a reference of the article to a special committee of three. Laid on the table.

Mr. Wilson moved to amend by striking out the words "two-thirds" and inserting the words "a majority," and also by striking out after "members," in the third line, the word "of" and inserting in lieu thereof the words "elected to," which motion having prevailed, article 10 was then adopted as amended.

The question then recurred on the adoption of Mr. Smith's amendment to article 11, striking out the words "*viva voce*," and substituting therefor the words "yeas and nays," which being carried, article 11 was adopted as amended.

Article 12 was read and adopted as reported.

Article 13 being read, Mr. Stauffer moved to strike out in the second line the words "or be employed in the public works," and also all the article after the word "State" in the third line, which being carried, the article was adopted as amended.

Article 14 was adopted as reported.

Article 15 was then read, when Mr. How-

ell moved to strike out in the first line the word "that," and further to amend by inserting after the word "laws" in the first line, the words "of this State," and after the word "by" in the second line, the words, "the Legislature or by its," which amendments having prevailed, the article was adopted as amended.

Article 16 was adopted as reported.

Article 17 was read.

Mr. Howell moved to strike out the entire article, and substitute therefor article 104 of the constitution of 1852, which motion prevailed and the substitute was adopted.

Articles 18 and 19 were read and adopted as reported.

Article 20 being read, Mr. Campbell moved to amend by adding, after the word "made" in the last line, the following words: "And no attorney shall give evidence in any case or suit, in which he or they may be employed," which amendment having been accepted by the Convention, the article as amended was adopted.

Article 21 being taken up and read, Mr. Cutler moved to reject the entire article, which being lost, the article was adopted as reported.

Article 22 was read, when Mr. Sullivan moved to strike out all after the words "subjects," in the second line, and insert "but the writer shall take the consequences of its abuse and malignity," which being laid on the table, the article was adopted or reported.

Upon article 23 being taken up, Mr. Terry offered the following amendment:

No monopoly shall be created by the Legislature, by the grant to joint stock companies or to individuals of exclusive rights to build and operate canals, railroads, plank or other roads in this State or through any portion thereof; neither shall exclusive rights for any kind of manufacture be granted.

Mr. Smith offered the following amendment:

The Legislature shall have no power to grant aid to companies or associations of individuals formed for any purpose.

On motion of Mr. Montamat, Mr. Smith's amendment was laid on the table.

Mr. Terry's amendment was then taken up, and, on motion of Mr. Baum, was laid

on the table by a rising vote of ayes 42, noes 34.

Mr. Howell moved to amend by inserting between the words "shall" and "have" the word "not," and between the words "individuals" and "formed" the words "except to such as are."

Mr. Howell's amendment was amended, on motion of Mr. Campbell, by inserting, "and shall be," so as to make the article read: "The Legislature shall not have power to grant aid to companies or associations of individuals, except to such as are and shall be formed," etc.

Mr. Cazabat offered a substitute for the article in the following words: "The Legislature shall have no power to grant exclusive privileges or monopolies of any kind to individuals, companies or corporations whatsoever, except for charitable purposes," which was laid on the table by a rising vote of ayes 44, noes 15.

The amendments of Mr. Howell, as amended by Mr. Campbell, were accepted, and the article adopted as amended.

Articles 24, 25 and 26 were severally read, and adopted as reported.

Article 27 was then read, together with Mr. Stiner's amendment, prohibiting the licensing of gambling houses.

Mr. Howell, on behalf of the committee, accepted Mr. Stiner's amendment.

Mr. Montamat moved, as a substitute for the article and the amendment, "lottery and gambling houses shall be licensed by the Legislature."

Mr. Stocker offered the following as a substitute for the whole:

The Legislature may grant licenses to gambling houses in this State, provided the tax shall not be less than ten thousand dollars per annum on each house so licensed.

Mr. Montamat withdrew his substitute, and offered the following additional proviso to Mr. Stocker's substitute:

Provided, That duly licensed gambling houses shall have the right to sell lottery tickets.

The proviso was accepted by Mr. Stocker.

Mr. Cutler offered the following as a substitute for the article, substitutes and amendments:

The Legislature shall have the power to license the selling of lottery tickets and

the keeping of gambling houses; said houses in all cases shall be on the first floor and kept with open doors; but in all cases not less than ten thousand dollars per annum shall be levied as a license or tax on each vendor of lottery tickets and on each gambling house, and five hundred dollars on each tombola.

Mr. Harnan offered the following, which was laid on table:

No lottery shall be authorized by this State, but every tombola shall be allowed by paying to the State, for each and every tombola, the sum of five hundred dollars; the same to be divided *pro rata* to each inmate which are beholding to receive charity in the orphan asylums within this State.

Mr. Howes moved to amend Mr. Cutler's substitute by adding: "a large sign shall be placed over the door, with the words gambling house painted thereon." The amendment was tabled.

Mr. Hills moved to lay the original article and all the substitutes and amendments thereto on the table, which was lost.

The question then recurred upon the adoption of Mr. Cutler's substitute, whereupon the yeas and nays were called, with the following result:

YEAS—Messrs. Abell, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Dufresne, Duke, Ennis, Fish, Flood, Foley, Gastinel, Geier, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Howes, Knobloch, Kugler, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, O'Conner, Ong, Orr, Purcell J., Purcell S., Schroeder, Schnurr, Seymour, Spellicy, Stocker, Stumpf, Stauffer, Sullivan, Terry, Thorpe, Waters, Wells—57.

NAYS—Messrs. Austin, Balch, Bromley, Campbell, Collin, Cazabat, Dupaty, Flagg, Fosdick, Gorlinski, Hills, Hire, Howell, Kavanagh, Mann, Morris, Normand, Payne J., Paine J. T., Pintado, Seymour, Smith, Stiner, Wilson—24.

Consequently the substitute was adopted.

Mr. Foley moved to adjourn. The yeas and nays being demanded thereon, were taken with the following result:

YEAS—Messrs. Abell, Austin, Balch, Bailey, Bofill, Buckley, Campbell, Decker, Dufresne, Duke, Ennis, Flagg, Foley, Gastinel, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Pintado, Purcell J., Schroeder,

Schnurr, Seymour, Shaw, Spellicy, Stumpf, Stiner, Sullivan, Waters and Wells—44.

NAYS—Messrs. Barrett, Baum, Beauvais, Bell, Bromley, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Dupaty, Fish, Flood, Fosdick, Geier, Gorlinski, Hills, Hire, Howell, Kugler, Mann, Montamat, Morris, Ong, Payne J., Paine J. T., Pursell S., Smith, Stocker, Stauffer, Terry, Thorpe and Wilson—36.

Consequently the motion prevailed and the Convention adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

SATURDAY, June 18, 1864.

The Convention met and was called to order pursuant to adjournment, Hon. E. H. Durell, president, in the chair, and the following members present:

Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wilson—82.

Absent—Messrs. Ariail, Bennie, Bonzano, Brott, Campbell, Edwards (excused), Heard, Kavanagh, Lobdell, Millspaugh, Montague, Ong, Taliaferro, Thomas and Wells—15.

The minutes of yesterday were read, amended and adopted.

On motion of Mr. Howell, the vote on article 23 was reconsidered, with a view of amending the same so as to exempt charitable institutions from the prohibitions contained in said article. Further action thereon was then deferred until Monday next.

Mr. Thorpe offered the following:

Resolved, That a committee of five be appointed to wait on Maj. Gen. Canby and Maj. Gen. Sickles, and learn from them when it would be agreeable to them to receive an official visit from the members of the Convention.

The rules were suspended and the resolution adopted; whereupon the president

appointed Messrs. Thorpe, Sullivan, Cutler, Terry and Campbell on the committee raised thereby.

Mr. Fosdick offered the following preamble and resolutions :

Whereas, In the opinion of this Convention a large majority of the loyal people of the city of New Orleans are desirous of having the civil government of the city re-established :

Be it therefore Resolved, That his excellency the governor of the State be and he is hereby requested to immediately issue his order of election for mayor, recorders, street commissioner, aldermen and assistant aldermen, in conformity with the city charter.

Resolved, That the secretary of this Convention be and he is hereby instructed to transmit a copy of the foregoing resolution to his excellency the governor.

After some discussion, Mr. Shaw moved to postpone the further consideration of the resolutions until Saturday next.

A motion to adjourn having been made, the yeas and nays were ordered thereon, resulting as follows :

YEAS—Beauvais, Buckley, Burke, Crozat, Davies, Duane, Dufresne, Duke, Ennis, Flagg, Foley, Hire, Maas, Maurer, Murphy E., Murphy M. W., O'Conner, Payne J., Schroeder, Stiner, Wilson—21.

NAYS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Bell, Bromley, Bofill, Collin, Cazabat, Cook T., Cook J. K., Cutler, Dupaty, Fish, Flood, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Harnan, Hills, Howes, Knobloch, Kugler, Mann, Mayer, Montamat, Morris, Newell, Normand, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Sullivan, Stumpf, Stauffer, Terry, Thorpe, Waters—52.

Consequently the Convention refused to adjourn.

Mr. Davies offered the following amendment :

Resolved, That the governor of the State be requested to order that elections be held in every incorporated city and town within the Union lines for all city and town officers ; said elections to be held on the same day as the elections of officers for the city of New Orleans.

Mr. Shaw called for the question on his motion to postpone the further consideration of the subject until Saturday, 25th inst., which being put, was carried, and the Convention then adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

MONDAY, June 20, 1864.

The Convention met, pursuant to adjournment.

Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Duke, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., Murphy E., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells and Wilson—81.

Absent—Messrs. Ariail, Barrett, Bennie, Bonzano, Brott, Decker, Edwards, (excused,) Heard, Lobdell, Millsbaugh, Montague, Morris, Ong, Taliaferro, Thomas and Pintado, (excused.)

The minutes of Saturday's proceedings were read and adopted.

Mr. Terry asked for a suspension of the rules for the purpose of presenting a memorial, signed by a large number of citizens, relative to the hours for laborers to be employed on public works.

The rules being suspended, the memorial was received, and on motion of Mr. Montamat. was referred to a select committee of seven—consisting of the following members, viz : Messrs. Terry, Geier, Stiner, O'Conner, Balch, Burke and Orr.

Mr. Fosdick moved a suspension of the rules for the purpose of taking up his resolution of Saturday last, relative to the election of officers for the city government of New Orleans.

A motion to lay on the table being lost, the yeas and nays were ordered on the motion to suspend the rules—resulting as follows :

YEAS—Messrs. Abell, Austin, Balch, Bailey, Baum, Bell, Bofill, Buckley, Campbell, Cook J. K., Cook T., Dufresne, Duke, Flagg, Flood, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Harnan, Hart, Hills, Howes,

Knobloch, Maas, Maurer, Mayer, Montamat, Murphy E., O'Conner, Orr, Poynot, Purcell J., Smith, Sullivan, Thorpe, Waters, Wilson—39.

NAYS—Messrs. Beauvais, Bromley, Burke, Collin, Crozat, Cutler, Davies, Duane, Dupaty, Ennis, Fish, Foley, Fuller, Gaidry, Healy, Henderson, Hire, Howell, Kugler, Mann, Murphy M. W., Newell, Normand, Payne J., Paine J. T., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Stocker, Stumpf, Stiner, Stauffer, Terry, Wells—36.

Consequently, the motion to suspend the rules was lost.

Mr. Montamat then moved a suspension of the rules, for the purpose of submitting a report of the Finance Committee, which being carried, he submitted the following:

REPORT OF THE FINANCE COMMITTEE, UP TO
JUNE 18.

1864.

June 18—Amount paid out, as
per warrants up to date, for
per diem of members, mileage
and salaries of officers. \$94,485 60

June 18—Balance on hand to
date 5,514 40

\$100,000 00

June 18—Amount paid out for
contingent expenses, as per
vouchers and warrants. \$18,027 97

June 18—Balance on hand, to
date 6,972 03

\$25,000 00

June 18—Amount paid out for printing and
advertising, as per vouchers and war-
rants, \$48,218 32. This sum was paid
out of funds not otherwise appropriated,
with the exception of seven thousand
dollars, which was paid from the funds
appropriated for contingent expenses,
and is to be refunded to that ac-
count.

June 8—The sum of six thousand one hun-
dred and thirty-nine dollars and thirteen
cents, (\$6,139 13,) was paid to J. S.
Walton, treasurer of the city of New
Orleans, for fitting up Liberty Hall.

Your committee respectfully report that
it is necessary that an appropriation be
made for the payment of members, officers
and employés of this Convention, for the
balance of the term; wherefore, your com-
mittee beg leave to recommend the follow-
ing resolution:

Resolved, That the sum of twenty thou-
sand dollars be and the same is hereby ap-
propriated out of the general funds of the
State treasury, not otherwise appropriated,

for the payment of *per diem* and salaries of
members and officers.

JOHN T. MONTAMAT,
Acting Chairman Finance Committee.

L. P. NORMAND,
JOHN SULLIVAN,
MARTIN SCHNURR.

New Orleans, June 18, 1864.

The report was received and the accom-
panying resolution adopted.

On motion of Mr. Hire, Mr. Pintado was
excused, on account of sickness.

ORDER OF THE DAY—REPORT OF THE COM-
MITTEE ON GENERAL PROVISIONS.

Mr. Howell moved to amend article 23,
by adding the words: "Provided, this arti-
cle shall not apply to charitable associa-
tions."

Mr. Cazabat moved to strike out all after
the word "improvement," in the third line,
and add the words "and for charitable pur-
poses." Lost.

Mr. Howell's amendment was then ac-
cepted by the Convention, and article 23
was adopted as amended.

Article 28 being taken up and read, Mr.
Smith moved to amend by adding the
words, "nor shall any minor be emanci-
pated." Lost.

Mr. Wilson moved to amend by inserting
the word "not" between the words "be"
and "granted." Lost.

Mr. Fosdick offered the following substi-
tute:

The Legislature may enact general laws
regulating the adoption of children, eman-
cipation of minors, changing of names, and
the granting of divorces, but no special
laws shall be enacted relating to particular
or individual cases.

Mr. Foley moved to strike out the words,
"changing of names," which motion being
laid on the table, Mr. Fosdick's substitute
was adopted.

Articles 29, 30 and 31 were respectively
read and adopted as reported.

When article 32 was taken up and read,
Mr. Howell, on behalf of the committee,
reported the following substitute:

Art. 32. Corporations shall not be cre-
ated in this State by special laws except for
political or municipal purposes, but the
Legislature shall provide by general laws
for the organization of all other corpora-
tions, except corporations with banking or
discounting privileges, the creation, re-

newal or extension of which is hereby prohibited.

The substitute was adopted as reported.

Article 33 was read, when Mr. Smith moved to amend by inserting the word "not" after shall in the first line, which motion was laid on the table and the article adopted.

Article 34 was read. Mr. Cazabat moved to amend by striking out the words "except that of justice of the peace," which motion was lost, and the article was then adopted.

For article 35 Mr. Samuel Pursell offered the following substitute, which was read and adopted :

Art. 35. Taxation shall be equal and uniform throughout the State. All property shall be taxed in proportion to its value, to be ascertained as directed by law. The General Assembly shall have power to exempt from taxation property actually used for church, school or charitable purposes. The General Assembly shall levy an income tax upon all persons pursuing any occupation, trade or calling, and all such persons shall obtain a license, as provided by law. All tax on income shall be pro rata on the amount of income or business done.

For article 36 Mr. Sullivan offered a substitute relative to city police. v

On a motion to lay on the table the yeas and nays were ordered, resulting as follows:

YEAS—Messrs. Austin, Bromley, Burke, Campbell, Collin, Cazabat, Cutler, Davies, Duke, Dupaty, Ennis, Flagg, Fosdick, Gorkinski, Gaidry, Henderson, Hire, Howell, Knobloch, Kugler, Mann, Mayer, Newell, Payne J., Paine J. T., Purcell J., Pursell S., Schnurr, Seymour, Stauffer, Thorpe, Wenck, Wells, Wilson—34.

NAYS—Messrs. Abell, Balch, Beauvais, Bailey, Bell, Bofill, Buckley, Cook J. K., Cook T., Crozat, Dufresne, Flood, Foley, Fuller, Gastinel, Geier, Gruneberg, Harnan, Hart, Hills, Howes, Maas, Maurer, Montamat, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Poynot, Schroeder, Smith, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters—38.

Consequently the motion to lay on the table was lost.

Mr. Cutler moved a reference of the whole matter to a committee of three, which motion was carried ; whereupon the president appointed on said committee Messrs. Cutler, Abell and Sullivan.

Articles 37, 38, 39 and 40 were severally read and adopted.

Mr. Howell offered the following additional articles to the report, viz. :

Art. 41. No liability, either State, parochial or municipal, shall exist for any debts contracted for, or in the interest of the rebellion against the authority of the United States government.

Art. 42. The seat of government shall be and remain at New Orleans, and shall not be removed without the consent of two-thirds of both Houses of the General Assembly.

Art. 43. The Legislature may determine the mode of filling vacancies in all offices for which provision is not made in this constitution.

Article 41 was read and adopted.

Article 42 was taken up and read.

Mr. Abell moved to amend by striking out the words "two-thirds" and substituting the words "a majority," which amendment was accepted by Mr. Howell.

Mr. Samuel Pursell offered the following substitute :

Art. 42. The seat of government shall be at the city of New Orleans. The General Assembly shall have power to dispose of the present capitol property in Baton Rouge and provide, by purchase or otherwise, suitable lands and buildings for a State capitol in New Orleans.

Laid on the table.

Mr. Cazabat moved to amend by striking out the words "New Orleans" and substituting "parish of Jefferson." Laid on the table.

Mr. Stauffer called for the reading of his substitute, viz :

No debt created by or under the so-called Confederate States, or under the sanction of any usurping power, shall be recognized or paid.

Mr. Stauffer's substitute was laid on the table, when the question recurred on the adoption of Mr. Howell's additional article 42, upon which a division was called for, resulting ayes 44, nays 13.

Article 42 was therefore adopted as amended.

Article 43 was read and adopted.

Mr. Thorpe, as chairman of the committee appointed to wait upon Maj. Gen. Canby and Maj. Gen. Sickles, submitted the following report :

The committee would respectfully re-

port that they waited upon Maj. Gen. Canby and Maj. Gen. Sickles and represented the desire of the Convention to pay them a ceremonious visit.

The distinguished soldiers replied, in substance, that they felt deeply grateful for the compliment paid them by the members of the Louisiana Free State Convention, and instead of receiving a formal visit from the members of the Convention, that they would take an early opportunity of paying their personal respects to the honorable members of this Convention.

The report was received and unanimously adopted.

Mr. Wilson, with leave of the Convention, offered the following resolution, which was unanimously adopted, viz :

Resolved, That the president of this Convention be instructed to invite Maj. Gen. Canby and Maj. Gen. Sickles to visit this Convention.

The Convention then adjourned until tomorrow at 12 o'clock m.

Approved.

JOHN E. NEELIS,
Secretary.

TUESDAY, June 21, 1864.

The Convention was called to order pursuant to adjournment.

Present, Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Poynot, Purcell J., Pursell S., Shaw, Schroeder, Schnurr, Seymour, Spellicy, Smith, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—83.

Absent—Messrs. Ariail, Bonzano, Brott, Duane, Heard, Lobdell, Millsbaugh, Montague, Ong, (excused) Pintado, (excused) Talliaferro and Thomas.

The minutes of yesterday were read and approved.

On motion of Mr. Cutler, Mr. Ong was excused for his absence on account of sickness.

Mr. Fosdick moved a suspension of the rules to take up his resolution relative to city government.

A motion to lay on the table having been lost, the yeas and nays were ordered on the motion to suspend, resulting as follows :

YEAS — Messrs. Abell, Balch, Bailey, Baum, Bell, Bofill, Buckley, Campbell, Cook J. K., Cutler, Decker, Dufresne, Duke, Flagg, Flood, Fosdick, Gastinel, Gorlinski, Gruneberg, Healey, Hills, Knobloch, Maas, Maurer, Mendiverri, Murphy E., Newell, O'Conner, Orr, Poynot, Smith, Stauffer, Sullivan, Thorpe, Waters, Wenck, Wells, Wilson—38.

NAYS—Beauvais, Bromley, Burke, Collin, Cazabat, Crozat, Davies, Dupaty, Edwards, Ennis, Fish, Foley, Fuller, Geier, Gaidry, Harnan, Hart, Henderson, Hire, Howell, Howes, Kavanagh, Kugler, Mann, Mayer, Montamat, Morris, Murphy M. W., Normand, Payne J., Paine J. T., Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Terry—42.

Consequently the motion was lost.

Mr. Terry, as chairman of the select committee on the memorial of certain working men, submitted the following report :

Mr. President, your committee on memorial, after careful deliberation, respectfully present the following report :

Believing that our mechanics, artisans of every grade, and laboring men are the most afflicted portion of our race ; working for the most part 'under the most depressing circumstances, they live and have their being at a great disadvantage. Unless capricious fortune seems to smile especially upon their efforts, laboring people, in the present social disorder, are most likely to be kept down in the cesspool of poverty, simply by the antagonism between labor and capital. It is unspeakably difficult for a laboring man to earn enough to meet the current expenses of his family and at the same time avoid debt and dishonesty. If he does this in our city, he must forego every species of comforting luxury and all cultivated amusements. His disadvantages are very numerous. If he be a mechanic, there are, probably, certain months in each year when his services are not required. But his house-rent and family expenses go on just the same as when his labor is in demand. The wealthy man can pay cash for his dry goods and groceries and can purchase them at wholesale prices, which gives him the advantage. But the poor man must buy in small quantities, must pay high interest for credit, and so lives at a perpetual loss. When he goes to the mar-

ket he pays the butchers and stall-keepers fifty per cent. more than the original cost of the articles. When he goes to the grocer, he must defray the accumulated and combined profits upon tea, sugar, soap, molasses, etc.; first, of the producer; second, of the wholesale merchant; third, of the retailer. Here is a mass of profits which the consumer must pay, and he must work hard and live very economically to do it. Again, when he wants muslin, cloth, and calico for his family, he must pay sufficient over and above the actual cost and value of these fabrics originally, to support the manufacturer, the various second-handers and wholesale go-betweens, and lastly the retailer of whom the goods are purchased. Your committee believe this is *all wrong*, and the laboring classes—who produce all the wealth there is in the State—are the constant and only real sufferers under this system. To illustrate the injustice of this system, the manufacturer, the wholesale merchant, and the flourishing retailer, can live in \$50,000 houses, environed with all the comforts and privileges thereof, the poor hard-working man and woman, with a large family of children to feed, clothe and educate, are compelled to occupy uncomfortable rooms for which they pay a high rent and toil perpetually on, oftentimes without the least glimmering of a hope that their circumstances will ever improve. Your committee, knowing full well that all the multitudinous complications of the mercantile world must be supported, desire to show that between the producer and the consumer there now exist in all kinds of industry, numerous intermediates; these produce nothing, they add nothing valuable to the State, they serve as speculative go-betweens. But they must all be fed, clothed and enriched, and the mechanic and laboring classes must do it all. These must support all non-producers; not by direct taxation, but in this way: producers support non-producers by paying higher prices for everything they purchase, and by paying rents to landlords, who, out of it, pay the taxes. This popular speculating, this fashionable subsisting upon the labor of the mechanics and workmen, is becoming well-nigh intolerable. The homage that capital requires of labor is beginning to be insupportable and detestable. Some efficient plan must soon be instituted to relieve the poor man from his manifold, oppressive disadvantages; to give him a fair and equal chance to enjoy his existence; to emancipate him from the mountainous interests and antagonisms that now oppress and keep him in bondage to poverty—therefore your committee, after carefully examining into the facts of your honorable petitioners, (though their request being a subject more appropriate for a

legislative body) are in favor of granting their humble request, in order to enable your petitioners to devote a part of their time to domestic scenes and the cultivation of the mind, respectfully submit the following article to be inserted in report of General Provisions:

Article —. Nine hours shall constitute a day's labor for all mechanics, artisans and laboring men employed on public works of the State and city.

J. RANDALL TERRY, Chairman,
GEORGE GEIER,
BENJAMIN H. ORR.
YOUNG BURKE,
P. K. O'CONNOR,
J. A. STINER.

The report of the committee was received and ordered to be spread upon the minutes.

Mr. Schroeder offered a memorial, and additional articles to the report of the Committee on General Provisions, but previous to their being read, Mr. Montamat rose to a point of order, and objected to the reading of the memorial without a suspension of the rules, which point was sustained by the chair, and the order of the day was then taken up.

Mr. Cutler, as chairman of the select committee on article 36 of the report of the Committee on General Provisions, submitted the following report:

REPORT OF SPECIAL COMMITTEE ON ARTICLE NO. 36 OF THE REPORT OF THE COMMITTEE ON GENERAL PROVISIONS.

The citizens of the city of New Orleans shall have the right of appointing the several public officers necessary for the administration of the police of said city, pursuant to the mode of elections which shall be prescribed by the Legislature.

Provided that the mayor and recorders shall be ineligible to a seat in the General Assembly, and the mayor and recorders shall be commissioned by the governor as justices of the peace, and the Legislature may vest in them such criminal jurisdiction as may be necessary for the punishment of minor offences, and as the police and good order of said city may require.

And that the city of New Orleans shall maintain a police force which shall be uniformed with distinction of grade, to consist of permanent citizens of the State of Louisiana, to be selected by the mayor of the city, and to hold office during good behavior, and removable only by a police commission composed of five citizens, viz: one to be selected from each district of the city, and the mayor, who shall be president of the board. The commission to be ap-

pointed by the governor of the State for the term of two years, at a salary of not less than one thousand dollars each per annum; a majority of whom shall remove for delinquencies. Members of the police when removed shall not again be eligible to any position on the police for a term of one year.

Interfering or meddling in elections in any manner will be a sufficient cause for instant dismissal from the police by the board.

The chief of police shall give a penal bond in the sum of ten thousand dollars; lieutenants of police, five thousand dollars; sergeants and clerks, each three thousand dollars; corporals, two thousand dollars, and privates one thousand dollars, with good and solvent security, as the law directs, for the faithful performance of their duties.

The various officers shall receive a salary of not less than the following rates:

The chief of police.....	\$250	per month.
" lieutenants of police....	150	" "
" sergeants of police....	100	" "
" clerks of police.....	100	" "
" corporals of police....	90	" "
" privates (day and night each).....	80	" "

The Legislature may establish the price and pay of foremen, mechanics, laborers and others employed on the public works of the State or parochial or city governments.

R. KING CUTLER, Chairman.
JOHN SULLIVAN.
E. ABELL.

After some discussion on the report, the previous question was called for, and lost on the following vote:

YEAS—Messrs. Abell, Austin, Bailey, Baum, Bofill, Bromley, Burke, Collin, Crozat, Cutler, Duke, Dupaty, Fish, Flagg, Fuller, Gaidry, Hart, Henderson, Kavanagh, Purcell J., Schnurr, Seymour, Thorpe, Wilson—24.

NAYS—Messrs. Bell, Buckley, Campbell, Cazabat, Cook J. K., Cook T., Davies, Decker, Dufresne, Edwards, Ennis, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Healy, Harnan, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Poynot, Pursell S., Schroeder, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Waters, Wenck, Wells—54.

Mr. Orr offered the following proviso, as an amendment to the report:

Provided, That the compensation to be paid to all foremen, mechanics, cartmen and laborers employed on the public works

under the government of the State of Louisiana, city of New Orleans and the police juries of the various parishes of the State, shall not be less than as follows, viz: Foremen, \$3 50 cents per day; mechanics, \$3 00 per day; cartmen, \$3 00 per day; laborers, \$2 00.

Mr. Cazabat offered the following amendment:

Provided, That laborers working on public works shall not be required to work more than nine hours per day, and will receive one hundred dollars per month; and provided also, that the salaries of the police will be one hundred and twenty dollars per month for corporals and clerks, and one hundred dollars per month for (night and day) privates.

Mr. Davies offered the following amendment:

That no person shall be eligible to serve on the police of this city who has not been a resident thereof at least two years previous to his appointment; and that preference shall be given in all cases to heads of families to serve as policemen.

After a lengthy discussion, the president having decided that Mr. Cutler, chairman of the select committee on the article under consideration, who had obtained the floor and claimed the right to close the debate, was entitled to that privilege, and that no further discussion from other members could be heard, Mr. Stauffer appealed from the decision, but previous to the question being put, a call of the ayes and noes was demanded—and there being no quorum present, the Convention adjourned until 12 o'clock M. to-morrow.

Approved.

JOHN E. NEEDLE,

Sec'y. rep.

WEDNESDAY, June 22, 1864.

The Convention met pursuant to adjournment, and was called to order by the president.

The roll was called and the following members answered to their names:

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann,

Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—85.

Absent—Messrs. Ariail, Bennie, Bonzano, Brott, Cazabat, Heard, Lobdell, Millspaugh, Montague, Ong, (excused,) Taliaferro and Thomas.

The minutes of yesterday were read and adopted.

The order of the day, being the report of the special committee on article 36 of the report of the Committee on General Provisions, was taken up.

Mr. Davies's amendment of yesterday was read. Mr. Howes moved to amend by striking out the word "two" and inserting "five," making the time of residence required five years.

Mr. Austin moved to lay the motion on the table, which being lost, the amendment was adopted.

The question then recurring upon the adoption of Mr. Davies's amendment, a division was demanded, resulting ayes 32, noes 18, consequently the amendment was adopted.

Mr. Orr moved a reconsideration of the vote just taken, when the yeas and nays being ordered thereon, resulted as follows:

YEAS—Messrs. Balch, Barrett, Buckley, Bell, Cook J. K., Cook T., Decker, Duane, Dufresne, Edwards, Ennis, Flagg, Fish, Flood, Foley, Fosdick, Geier, Gorlinski, Gaidry, Healy, Hart, Hills, Hire, Maas, Mann, Maurer, Mayer, Montamat, Morris, Murphy E., Newell, Normand, O'Conner, Orr, Payne J., Poynot, Pursell S., Schroeder, Seymour, Shaw, Smith, Spellicy, Stocker, Stauffer, Terry, Thorpe, Waters, Wenck—48.

NAYS—Messrs. Abell, Austin, Beauvais, Bailey, Baum, Bofill, Bromley, Burke, Collin, Campbell, Crozat, Cutler, Davies, Duke, Dupaty, Gastinel, Gruneberg, Harnan, Henderson, Howell, Howes, Kavanagh, Knobloch, Kugler, Mendiverri, Murphy M. W., Paine J. T., Purcell J., Schnurr, Stumpf, Stiner, Sullivan, Wells, Wilson—34.

The vote was therefore reconsidered.

Mr. Foley moved to amend by adding, after the word "resident," the words "and shall be a citizen of the United States."

Mr. Stauffer moved to lay Mr. Foley's motion on the table. Lost.

Mr. Wells moved to lay the whole subject, including all amendments, on the table. Lost.

Mr. Thorpe moved to amend by adding the words "and no one shall be appointed on the police who shall have been mustered into the rebel army."

On a motion to lay Mr. Thorpe's amendment on the table, the yeas and nays were ordered with the following result:

YEAS—Messrs. Abell, Austin, Balch, Barrett, Baum, Bell, Bofill, Buckley, Cook T., Cutler, Decker, Duane, Dufresne, Edwards, Fish, Foley, Fosdick, Fuller, Gastinel, Geier, Gruneberg, Healy, Hart, Henderson, Howell, Kavanagh, Knobloch, Kugler, Mann, Mayer, Mendiverri, Montamat, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Poynot, Purcell J., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Waters, Wilson—50.

NAYS—Messrs. Bailey, Beauvais, Bromley, Burke, Campbell, Collin, Cook J. K., Crozat, Davies, Duke, Dupaty, Ennis, Flagg, Flood, Gorlinski, Gaidry, Harnan, Hills, Howes, Maurer, Morris, Newell, Payne J., Paine J. T., Pursell S., Smith, Stauffer, Terry, Thorpe, Wenck, Wells—31.

The amendment was therefore laid on the table.

The several amendments proposed by Messrs. Davies, Foley and Cazabat, were all laid on the table.

Mr. Orr's amendment was taken up and read.

A motion to lay on the table having been made, the yeas and nays were taken thereon, as follows:

YEAS—Messrs. Abell, Austin, Balch, Bailey, Beauvais, Bofill, Bromley, Burke, Campbell, Crozat, Cutler, Duke, Edwards, Gruneberg, Gaidry, Henderson, Howell, Kavanagh, Mayer, Mendiverri, Murphy M. W., Newell, Shaw, Wenck, Wells, Wilson—26.

NAYS—Messrs. Barrett, Baum, Bell, Buckley, Collin, Cook J. K., Cook T., Davies, Decker, Duane, Dufresne, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Healy, Harnan, Hart, Hills, Hire, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy E., Normand, O'Conner, Orr, Payne J., Paine J. T., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Waters—56.

Consequently the motion to lay on the table was lost.

The question was then put upon the adoption of Mr. Orr's amendment, and the

yeas and nays being ordered, resulted as follows :

YEAS—Messrs. Abell, Balch, Barrett, Baum, Bell, Bromley, Buckley, Collin, Cook J. K., Cook T., Davies, Decker, Duane, Dufresne, Duke, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Waters—62.

NAYS—Messrs. Austin, Bailey, Beauvais, Bofill, Burke, Campbell, Crozat, Cutler, Edwards, Gruneberg, Howell, Kavanagh, Mayer, Mendiverri, Newell, Paine J. T., Shaw, Wenck, Wells, Wilson—20.

Consequently the amendment was adopted.

On the adoption of the report of the special committee as amended, the yeas and were ordered, resulting as follows :

YEAS—Messrs. Abell, Balch, Barrett, Bell, Baum, Buckley, Cook J. K., Cook T., Crozat, Decker, Duane, Dufresne, Fish, Flood, Foley, Fuller, Gastinel, Geier, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maurer, Maas, Mendiverri, Montamat, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Poynot, Purcell J., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters—50.

NAYS—Messrs. Bailey, Beauvais, Burke, Campbell, Collin, Cutler, Davies, Duke, Dupaty, Ennis, Flagg, Fosdick, Gruneberg, Gaidry, Howell, Knobloch, Mann, Mayer, Morris, Newell, Payne J., Paine J. T., Pursell S., Seymour, Shaw, Stauffer, Wenck, Wells, Wilson—31.

The report was therefore adopted as amended

Mr. Hillis moved to suspend the rules to take up the report of the Committee on General Provisions for its third reading, which motion being lost, the report was ordered to be engrossed for its third reading on to-morrow.

The report of the Committee on Internal Improvements, as also the minority report presented by Mr. Campbell, being next in order, were taken up and read.

Mr. Terry offered a substitute for the whole.

Mr. Smith moved to amend so as to make the State engineer appointive by the gov-

ernor for the first three years, and afterwards to be elected by the people ; and also to strike out the clause relative to his salary, so as to leave the fixing of the same to the Legislature.

Mr. ——— called for a division of the question on the amendments, which was ordered, and, on motion of Mr. Wilson, the first amendment was laid on the table.

Pending discussion on the second division of the amendment, the door-keeper announced Major Genls. Canby and Sickles, who were conducted to the platform by Mr. Thorpe, where they were duly received and welcomed by the Convention.

After a recess of ten minutes, a call of the House was had, and there being no quorum, the Convention adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

THURSDAY, June 23, 1864.

The Convention met pursuant to adjournment.

Present—the Hon. E. H. Durell, president, in the chair, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—83.

Absent—Messrs. Ariail, Bennie, Bonzano, Brott, Campbell, (excused,) Cazabat, Fuller, Heard, Lobdell, Millspaugh, Montague, Ong, (excused,) Taliaferro and Thomas.

On motion of Mr. Abell, Mr. Campbell was excused for absence.

The minutes of yesterday were read and adopted.

Mr. S. Pursell moved a reconsideration of the vote of yesterday, on the adoption of the report of the Committee on General Pro-

visions, as amended on its second reading.

Mr. Orr moved to lay the motion on the table, which being lost, the motion to reconsider was put and carried, on a rising vote of ayes 54, nays none.

Mr. Pursell then offered the following additional article :

Art. —. No profession, occupation, business or calling, requiring a license from any authority within this State, shall be carried on, exercised or followed by any other than citizens of the United States, or those having made legal declaration of becoming citizens.

Mr. Harnan moved to lay the article on the table, which being lost, a lengthy discussion ensued, after which the article was rejected by the following vote, taken on a motion to adopt :

YEAS—Messrs. Bofill, Bromley, Burke, Cook J. K., Decker, Ennis, Flagg, Flood, Geier, Gaidry, Kugler, Maas, O'Conner, Paine J. T., Poynot, Pursell S., Schroeder, Smith—18.

NAYS—Messrs. Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell Buckley, Collin, Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Duke, Dupaty, Edwards, Fish, Foley, Fosdick, Gastinel, Gorlinski, Gruneberg, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Mann, Maurer, Mayer, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, Orr, Payne J., Pintado, Purcell J., Schnurr, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Wenck, Wells, Wilson—62.

Mr. Pursell then offered the following as an additional article :

Art. —. The General Assembly shall provide by law for the establishment of a poor-house in each parish of the State, for the care of the destitute within their respective limits, and to be conducted as shall be provided by law.

On motion of Mr. Harnan, it was laid on the table.

Mr. Gorlinski offered the following additional article :

Art. —. The Legislature shall have power to pass laws extending the right of suffrage to such persons, citizens of the United States, as by military service, by taxation to support the government, or by intellectual fitness, may be deemed entitled thereto.

Mr. Sullivan moved to lay it on the table. Lost.

On the adoption of the article, the yeas

and nays were demanded, with the following result :

YEAS—Messrs. Austin, Barrett, Bell, Bromley, Collin, Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Gorlinski, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Kugler, Mann, Murphy E., Newell, Normand, O'Connor, Paine J. T., Pintado, Purcell J., Schroeder, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wenck, Wells—48.

NAYS—Messrs. Balch, Bailey, Baum, Beauvais, Bofill, Buckley, Burke, Cook J. K., Decker, Dufresne, Duke, Edwards, Gastinel, Gruneberg, Gaidry, Hart, Knobloch, Maas, Maurer, Mayer, Mendi-verri, Montamat, Morris, Murphy M. W., Orr, Payne J., Poynot, Pursell S., Schnurr, Stocker, Sullivan, Wilson—32.

The additional article was therefore adopted.

Mr. Terry offered the following additional article :

Nine hours shall constitute a day's labor for all mechanics, artisans and laborers in the public works of the State.

A motion to lay on the table was lost on a rising vote—ayes 33, nays 37.

Mr. Thorpe moved to amend by striking out "nine," and inserting "seven" instead. Lost.

On the question of the adoption of Mr. Terry's additional article, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Bailey, Barrett, Baum, Bell, Buckley, Burke, Collin, Cook J. K., Cook T., Crozat, Davies, Duane, Dufresne, Duke, Dupaty, Ennis, Fish, Flood, Foley, Fosdick, Geier, Gorlinski, Gaidry, Harnan, Healy, Henderson, Hills, Hire, Howes, Knobloch, Maas, Maurer, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Smith, Stocker, Stumpf, Stauffer, Stiner, Sullivan, Terry, Thorpe—56.

NAYS—Messrs. Abell, Austin, Balch, Beauvais, Bofill, Bromley, Cutler, Decker, Edwards, Flagg, Gastinel, Gruneberg, Hart, Howell, Kavanagh, Kugler, Mann, Mayer, Mendi-verri, Paine J. T., Schnurr, Spellicy, Wenck, Wells, Wilson—25.

The article was therefore adopted.

Mr. Foley offered the following as an additional article :

The Legislature shall pass no laws requiring property qualification for office.

On motion of Mr. Healy, the article was adopted.

Mr. Bromley offered the following as an additional article :

No member of this Convention shall be eligible to any office under the municipal government of New Orleans during a term of three years from the adoption of the free State constitution.

Laid on the table.

The report of the Committee on General Provisions, as amended, was then adopted as a whole, on a rising vote of ayes 47, noes 24.

Mr. Terry moved to suspend the rules to take up the report on its third reading. Lost.

The Convention then resumed its action on Mr. Terry's substitute for the report of the Committee on Internal Improvements, together with the amendments offered thereto.

Mr. Wilson withdrew his amendment relative to term of office.

Mr. Stocker moved to amend the first article of Mr. Terry's substitute, by striking out all after the word "per annum" down to the word "State."

Mr. Healy moved to lay the amendment on the table, which being lost, the amendment was adopted. A call of the House was demanded, when seventy-six members answered to their names.

Mr. Gastinel moved to strike out the words "six thousand" and substitute "four thousand," making the salary of the chief engineer four thousand dollars.

A motion to lay on the table being lost, the amendment was adopted, on a rising vote of yeas 32, nays 23.

Mr. Stocker offered an amendment leaving the appointment and salary of the chief engineer's assistants to be regulated and provided for by the Legislature. Adopted.

The second article of Mr. Terry's substitute was then taken up.

Mr. Sullivan offered the following amendment :

And that the municipal corporation of the city of New Orleans shall be prohibited from adjudicating, selling by sealed proposals, or in any manner contracting for the working or completing of any public works under their supervision and control.

Adopted.

Article 3 was read and adopted.

Article 4 was then taken up, and, with the consent of Mr. Terry, was amended by striking out the word "two-thirds" and substituting the word "majority." The article as amended was then adopted.

A motion to take up the substitute, as amended, for its third reading being lost, the Convention adjourned.

Adopted.

JOHN E. NEELIS,
Secretary.

FRIDAY, June 24, 1864.

The Convention met, pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., Newell, Normand, O'Connor, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—85.

The minutes of yesterday's proceedings were read and adopted.

Mr. Terry asked a suspension of the rules for the purpose of introducing a resolution relative to the celebration of the 4th of July, prox., but upon the question being put the suspension was refused.

Mr. Bell moved to reconsider the vote by which article 1 of the report of the Committee on Internal Improvements was adopted, which motion was subsequently withdrawn.

Mr. Gruneberg presented his report on behalf of the Committee on Schedule, which was partially read, but being signed by but two members of the committee, the same was declared by the president to be no report.

The substitute for the report of the Committee on Internal Improvements was then taken up for its third reading.

Mr. Gorlinski moved to strike out the

word "four" in the twelfth line and insert "five," so as to make the salary of the chief engineer five thousand dollars; and also to strike out all of the second article after the word "State" in the seventh line.

Mr. Gorlinski's rider was rejected, and the report then passed its third reading and was adopted.

The Convention then took a recess of fifteen minutes, at the expiration of which time the roll was called and seventy-seven answered to their names.

The report of the Committee on General Provisions was then taken up on its third reading, and being read the following riders were offered:

Mr. Davies moved to strike out all of article 36, after line 28. Lost.

Mr. S. Pursell offered to strike out all of article 3, after the word "blood," in the second line. Lost.

Mr. Foley moved to amend article 4, by adding the words, "or who have registered themselves enemies of the United States." Lost, on a division, ayes 12, noes 57.

Mr. Cazabat moved to insert the words, "or retroactive," after the words "*ex post facto*," in article 20, and to strike out all after the word "made," in the fourth line of the same article. Adopted.

Mr. Cazabat also offered the following rider, by way of amendment to article 5, viz:

But capital punishment is forever abolished and prohibited in this State.

Mr. Henderson moved to amend Mr. Cazabat's rider, by adding the words, "unless the jury shall determine otherwise."

Mr. Cazabat accepted this amendment, and the rider, as amended, was lost, on a rising vote of ayes 20, noes 50.

Mr. S. Pursell offered the following amendment to article 44:

Provided the conditions herein contained shall only apply to white persons.

A call of the House was ordered, and seventy-nine members found to be present. After a short discussion, the Convention adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

SATURDAY, June 25, 1864.

The Convention met pursuant to adjournment. The roll was called and the following members answered to their names:

Messrs. Abell, Austin, Balch, Bailey, Barrett, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Shaw, Schroeder, Schnurr, Seymour, Spellicy, Smith, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wenck, Wells, Wilson—83.

On motion, Mr. Stauffer was excused for non-attendance.

The minutes of yesterday were read and adopted.

Mr. Sullivan offered the following:

Resolved, That the sum of twenty-four thousand two hundred and fifty dollars be, and is hereby, appropriated out of the State treasury, to be distributed to the following charitable institutions of the city and State, as follows:

For the Orphans' Home, New Orleans	\$1,500
For the St. Mary's Catholic Asylum	4,000
For the Female Asylum, Camp street	4,000
For the House of the Good Shepherd	500
For the Jewish Widows' and Orphans' Home	500
For the St. Joseph Catholic Orphan Asylum	1,500
For the Firemen's Charitable Association, benefit of its widows and orphans	3,000
For the Elizabeth House of Industry	1,000
For the Society for the Relief of Orphan Boys, Fourth District	1,000
For the the Institution for Indigent Colored Boys, Third District	1,000
For the Ladies of Providence, Third District	750
For the St. Ann's Asylum for Destitute Widows and Children	1,500
For the Childrens' Home of the Protestant Episcopal Church	500
For the Catholic Institute for Destitute Orphans	750
For the Catholic Benevolent Association of Baton Rouge	250

For the Female Orphan Asylum, Baton Rouge.....	500
For the Milne Asylum, New Orleans	500
For the St. Vincent's Orphan Asy- lum	500
For the Moreau Street Orphan Asy- lum	500
For the St. Vincent Orphan Asy- lum, Donaldsonville.....	500
	\$24,250

On a motion to lay on the table, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Abell, Balch, Campbell, Collin, Cutler, Davies, Decker, Dufresne, Dupaty, Edwards, Ennis, Flagg, Gruneberg, Gaidry, Howell, Kugler, Mann, Maurer, Mendiverri, Newell, Normand, Pintado, Seymour, Wenck, Wells—25.

NAYS—Messrs. Austin, Bailey, Barrett, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Cazabat, Cook J. K., Cook T., Crozat, Duane, Duke, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Hart, Henderson, Hills, Hire, Howes, Knobloch, Maas, Mayer, Montamat, Morris, Murphy E., Murphy M. W., O'Conner, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Thorpe, Waters, Wilson—53.

Mr. Foley moved to strike out the appropriation for the Firemen's Charitable Association.

On a motion to lay on the table the yeas and nays were taken as follows :

YEAS—Messrs. Abell, Barrett, Beauvais, Bell, Bofill, Buckley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Decker, Duane, Dufresne, Dupaty, Fish, Fuller, Gastinel, Geier, Gruneberg, Gaidry, Henderson, Hire, Howes, Kugler, Maas, Maurer, Mayer, Mendiverri, Montamat, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters, Wenck, Wilson—50.

NAYS—Messrs. Austin, Balch, Bailey, Bromley, Campbell, Cazabat, Davies, Duke, Edwards, Ennis, Flagg, Flood, Foley, Fosdick, Gorlinski, Harnan, Hart, Hills, Howell, Knobloch, Mann, Morris, Murphy E., Murphy M. W., Newell, Normand, Smith, Thorpe, Wells—29.

Consequently, Mr. Foley's motion was laid on the table.

Mr. Gorlinski offered the following substitute :

Resolved, That the sum of twenty-five thousand dollars be and is hereby appropriated out of the general fund for

different charitable institutions and other purposes, to be expended under direction of a board of almoners, consisting of five citizens, to be appointed by the governor.

Laid on the table.

Mr. Davies moved to amend by appropriating \$25,000 for the relief of all widows and orphans in this city, whose husbands and fathers have lost their lives in fighting to uphold the government of the United States.

Laid on the table.

Mr. Beauvais moved to amend by including the convent of the "Sacred Heart," in the Parish of St. James, for the sum of five hundred dollars, which amendment was accepted by Mr. Sullivan.

Mr. S. Pursell moved to amend by including the Female Asylum in the parish of Jefferson, for one thousand dollars.

Accepted.

Mr. Burke moved to amend by including the widows and orphans in the parish of St. John the Baptist, who are in a destitute condition, for the sum of one thousand dollars, which amendment was accepted.

Mr. Cazabat offered to amend as follows :

Provided, That all of said appropriations for charitable purposes be paid from the last amount of twenty thousand dollars already appropriated for the per diem pay of the members of this Convention.

And, provided also, That the following be included, to-wit :

For the relief of destitute Union refugees from Louisiana.....	\$3,000
Orphans' Asylum in Jefferson parish	2,000
Pioneers' Fire Co. No. 1, city of Jefferson.....	1,000
St. Vincent's Asylum, Donaldson- ville.....	1,000
Orphans and widows of Union sol- diers from Louisiana, who lost their lives in the United States service	1,000

Which amendment was laid on the table.

On the adoption of Mr. Sullivan's resolution as amended, the yeas and nays were ordered, with the following result :

YEAS—Messrs. Austin, Barrett, Beauvais, Bell, Bofill, Buckley, Burke, Cook T., Crozat, Duane, Fish, Flood, Fuller, Gastinel, Geier, Gorlinski, Harnan, Hart, Henderson, Hills, Hire, Howes, Murphy E., Murphy M. W., O'Conner, Orr, Purcell J., Pursell S., Schroeder, Shaw, Stocker, Stiner, Sullivan, Terry, Waters, Wilson—36.

NAYS—Messrs. Abell, Balch, Bailey,

Bromley, Campbell, Collin, Cazabat, Cook J. K., Cutler, Davies, Decker, Dufresne, Duke, Dupaty, Edwards, Ennis, Flagg, Foley, Fosdick, Gruneberg, Gaidry, Howell, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Newell, Normand, Payne J., Pintado, Poynot, Schnurr, Seymour, Smith, Spellicy, Stumpf, Thorpe, Wenck, Wells—44.

Consequently the resolution was lost.

Mr. Terry offered the following :

Resolved, That the sum of one thousand dollars be and is hereby appropriated out of the State funds, not otherwise appropriated, for the celebration of the 4th of July, and that a committee of five be appointed to consult with the city authorities regarding its proper expenditure.

Laid on the table.

Mr. Abell offered the following :

Resolved, That the sum of one hundred dollars be allowed to each of the reverend clergymen who have officiated in this Convention.

Laid on the table.

Mr. Austin, chairman of the special committee on the auditor's report, submitted the following report :

To the president and members of the State Constitutional Convention of Louisiana :

Your committee to whom was referred the report of the Auditor of Public Accounts, beg leave to make the following report, to-wit :

Under all the surrounding circumstances, we find no serious objection to the manner and form in which the State auditor has seen proper to present his report. As to the Confederate notes, we look upon them as *trash*, and lost to the State.

Your committee are of opinion that we should not interfere with the military powers, and therefore, are unanimous in saying that, inasmuch, as the late auditor of public accounts, the Hon. S. H. Torrey, has issued warrants only by authority of the military governor, Gen. Shepley, he is not only excusable, but justifiable. As to the Hon. R. K. Howell and the Hon. A. M. Buchanan, your committee are of opinion that they have drawn their salary according to the constitution and the laws of the State of Louisiana, and that the opinion of our auditor, the Hon. A. P. Dostie, "That rebellion had terminated the existence of the Supreme Court," is unfounded and contrary to the prevailing opinion of all loyal citizens of Louisiana, "*that the State has never been out of the Union.*"

As to the Hon. Charles A. Peabody, your committee are of opinion that he never was Chief Justice of the State of Louisiana, for the irresistible reasons that neither the

military authorities, nor the civil powers in this State, ever created a supreme court since the arrival of the honorable gentleman in this State, nor was he eligible to a seat on the bench of the one created previous to his arrival, because he was not, and is not, a citizen of the State of Louisiana. And, further, because he was, and is a judge created by the president of the United States, to preside over a court created by the same authority, "the United States Provisional court for the State of Louisiana." That as judge of said court, he has been receiving a salary from the United States government ; and therefore, he has received the sum of \$3541 66 from the treasury of the State of Louisiana, as salary, under the pretence of being chief justice of the State, without any authority, and in open violation of the constitution and laws of the State of Louisiana.

Under these circumstances, your committee recommend that in consequence of these illegal acts of the said Charles A. Peabody, in obtaining said sum from the State as aforesaid, that the attorney general of the State be requested to institute such legal proceedings as may be necessary to recover said sum, with interest, damages and costs. Your committee further recommend, that inasmuch as the necessity for said U. S. Provisional Court has long since ceased to exist, and that the same is but a stumbling block in the way of the administration of justice, and to the loyalty of the good people of Louisiana, that the commanding general of this department, Maj. Gen. N. P. Banks, and his excellency, M. Hahn, governor of the State of Louisiana, be requested to petition the president of the United States to withdraw the commission from, and recall the said Charles A. Peabody, and thereby put an end to the further existence of said court.

As to Mr. Serpas, sheriff of the parish of St. Bernard, your committee are of opinion that as the Confederate notes in his possession were received for taxes collected by him during Confederate rule, he should be exonerated from all blame and released from all responsibility on handing over the same to the treasurer of the State.

O. W. AUSTIN, Chairman.
W. R. FISH,
R. BEAUVAIS,
R. KING CUTLER.

On motion of Mr. Terry, the report was ordered to be printed and made the order of the day for Saturday next.

Mr. Schroeder submitted the following memorial and resolution :

To the Constitutional Convention of Louisiana :

The memorial of the undersigned respect-

fully begs leave to call your honorable body's attention to the defects in the law relative to births and deaths, and the necessity of amending the same, as the law as it now stands is defective. By the acts of 1855, page 41, relative to births and deaths, it will be seen that in case of a birth or death, the declaration of the party declaring the same, in the parish of Orleans, (persons residing in the country parishes are not required to record either,) is not supported by an affidavit, thus leaving the door open to fraud; as, for example: suppose a man is married to a woman who possesses in her own right property, both real and personal, and that their marriage is barren of issue; and suppose the wife has relations in the ascending or collateral line, who are non-residents of the State, and who are ignorant of her circumstances, and, may be, of her existence, and, for argument's sake, say the latter; and suppose, too, this man, unknown to his wife, to go, under the provision of the law referred to, and declare before the recorder that a child had been born to him by his wife; and suppose his wife to die intestate, and in total ignorance of such a declaration, what would be the consequence? The husband would, with the assistance and connivance of others, proceed in his right as the natural tutor of his minor (fictitious) child, to get the administration and possession of his deceased wife's estate, and by fictitious claims swallow up the movable property, together, probably, that of the realty, thus defrauding the legal heirs. This, however, is but one way of committing a fraud to the prejudice of the wife's legal heir, for the wife herself could connive at the proceedings of her husband, for the purpose of cutting off her ascending heirs if she so desired. What may be said of births may be said of deaths, for instance: a person of the next of kin to an heir of an estate in Europe, residing in this country, to whom such inheritance is unknown, may declare here, before the recorder of births and deaths, the death of the heir, and get a certificate from him to that effect, and have the same certified to by the proper consul, go to Europe, and by the production of such proof obtain, as next of kin, the property bequeathed to or inherited by the heir represented as dead.

These are a few of the defects of the law of 1855. There are others: It will be seen that in the parish of Orleans only is it compulsory for persons to record births and deaths. It is not so in the country. Why is this? If fraud can be practiced in this parish, what a greater latitude there is for its practice in the country parishes.

We, your memorialists, therefore, pray that your honorable body will give this matter your consideration, and devise such means as will prevent the abuses to which,

by the villainy of man, the law of 1855 is subject.

CHARLES F. WARNEY,
JOHN SMITH,
and others.

Resolved, That the Legislature shall, at its first session after the adoption of this constitution, provide in each parish an officer for the registration of births, marriages and deaths throughout the State, whose duty shall be to keep for the purpose suitable books, and cause to be entered therein a registry of each birth, marriage and death, giving the name of each parent and the sex of every child born within their parish as above provided; and they shall further enact a law providing for punishment, by suitable fine, all parents of children, born as above stated, who do not report within a reasonable time, to the register above named, the birth and sex of each child so borne; and, also, it shall be the duty of each register above named to keep a registry of the death and marriage of all persons, giving their sex, age and name, with sufficient proof of the same.

The memorial was accepted.

Mr. Hills offered the following:

Resolved, That a committee of five be appointed to report on Saturday next what appropriations are necessary for the various charitable institutions of this State.

Adopted.

The president appointed on the committee raised by said resolution, Messrs. Hills, Howell, Smith, Stocker and Sullivan.

Mr. Wells offered the following:

Whereas, There are many truly loyal ladies teaching the youth of our country and filling the various positions in our public schools with honor to themselves and the community generally, and who are dependent upon their daily labor for the support of themselves and their families:

Therefore be it resolved, That the proper authorities be notified to raise their salaries twenty-five per cent. on the original sum.

On a motion to lay on the table the yeas and nays were demanded with the following result:

YEAS — Messrs. Bell, Duke, Edwards, Hills, Howell, Knobloch, Mayer, Murphy M. W., Normand, Payne J., Schnurr, Smith, Sullivan, Wenck—14.

NAYS—Abell, Austin, Barrett, Beauvais, Bofill, Bromley, Buckley, Burke, Campbell, Colin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Grunenberg, Gaidry, Harnan, Hart, Henderson, Hire, Howes, Maas, Mann, Maurer, Mendi-

verri, Montamat, Morris, Murphy E., Newell, O'Conner, Orr, Pintado, Poynot, Purcell J., Pursell S., Schroeder, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Terry, Wells, Wilson—60.

The motion to lay on the table was therefore lost.

Mr. Howes moved to amend by adding the words "if compatible with the public interest." Lost.

Mr. Wells's resolution was then adopted. Mr. Beauvais offered the following :

Resolved, That this Convention will adjourn, *sine die*, on the 2d day of July, prox.

Laid on the table.

Mr. Fosdick's resolution, relative to election of officers of the city government of New Orleans, together with Mr. Davies's amendment thereto, were taken up.

On motion of Mr. Foley, the amendment was laid on the table.

Mr. Bofill moved to lay the original resolution on the table. Lost.

Mr. Stocker moved to postpone the resolution indefinitely, but subsequently withdrew his motion, after a lengthy discussion.

Mr. Cutler offered the following :

Resolved, That the subject of calling a city election be referred to a committee of five, to be appointed by the chair, with instructions to examine whether any practical difficulties exist in the way of, or against putting in force the provisions of the charter of the city, and what provisions, if any, may be required to be passed on the subject by this Convention.

On the question on the adoption of the resolution, the yeas and nays were ordered, and the vote resulted as follows :

YEAS—Messrs. Austin, Barrett, Bell, Bofill, Bromley, Burke, Campbell, Collin, Cazabat, Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Flagg, Flood, Foley, Fuller, Geier, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hire, Howes, Mann, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, Payne J., Pintado, Purcell J., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Wenck, Wilson—53.

NAYS—Messrs. Abell, Balch, Bailey, Buckley, Cook J. K., Cook T., Dufresne, Duke, Fish, Fosdick, Gastinel, Gorlinski, Hills, Knobloch, O'Conner, Orr, Poynot, Pursell S., Thorpe, Waters, Wells, Durell—22.

Mr. Howell being in the chair, the president voted.

The resolution was therefore adopted.

The Convention then adjourned.

Approved.

JOHN E. NEELIS,
Secretary.

MONDAY, June 27, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Duke, Dupaty, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Gaidry, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Hawes, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wells, Wilson—80.

On motion, the following gentlemen were excused for non-attendance, viz : Messrs. Knobloch, Baum, Kugler, Ennis, S. Pursell and Orr.

The minutes of Saturday's proceedings were read and adopted.

The president appointed on the committee raised by Mr. Cutler's resolution of Saturday last, relative to the election of officers of the city government, Messrs. Cutler, Fosdick, Hills, Orr and Henderson.

The third reading of the report of the Committee on General Provisions being the order of the day, was next taken up.

Mr. Hills moved the previous question, which being carried, the question was put and the report adopted on its third reading.

The report of the Committee on Public Education being next in order, was taken up on its second reading and read section by section, together with the substitutes and amendments offered thereto.

Mr. S. Pursell's substitute was laid on the table.

Mr. Bonzano's amendment to article 3, and his substitutes for articles 5 and 7, were severally taken up and laid on the table.

On the suggestion of Mr. Hills, the report was then taken up and considered section

by section, and the several substitutes and amendments, taken up in their regular order; as the sections to which they applied came up.

Article 1 was then taken up and read.

Mr. Seymour moved to strike out of the first line the word "two" and insert "four," which being accepted, the article was adopted as amended.

Art. 2 was read, as also Mr. Sullivan's substitute therefor.

On a motion to lay Mr. Sullivan's substitute on the table, the yeas and nays were taken, as follows :

YEAS—Messrs. Abell, Austin, Bell, Bromley, Burke, Collin, Cazabat, Cook J. K., Cook T., Davies, Duane, Dupaty, Fish, Flagg, Flood, Foley, Fosdick, Gorlinski, Gruneberg, Healy, Harnan, Hills, Hire, Howell, Mann, Maurer, Murphy E., Newell, Normand, O'Conner, Paine J. T., Pintado, Poynot, Purcell J., Schnurr, Seymour, Shaw, Smith, Spelliey, Stumpf, Stiner, Taliaferro, Wells, Wilson—44.

NAYS—Messrs. Balch, Bailey, Barrett, Baum, Beauvais, Bofill, Buckley, Campbell, Crozat, Cutler, Dufresne, Duke, Edwards, Fuller, Gastinel, Geier, Gruneberg, Hart, Howes, Maas, Mayer, Mendiwerri, Montamat, Morris, Murphy M. W., Ong, Orr, Payne J., Stocker, Sullivan, Terry, Thorpe, Waters—33.

The substitute was therefore laid on the table.

The question then recurred upon the adoption of article 2, when the yeas and nays being demanded, the following vote was taken :

YEAS—Messrs. Austin, Barrett, Bell, Bromley, Burke, Collin, Cazabat, Cook T., Davies, Duane, Dupaty, Fish, Flagg, Flood, Foley, Fosdick, Gorlinski, Gaidry, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Mann, Maurer, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Seymour, Shaw, Smith, Spelliey, Stumpf, Stiner, Taliaferro, Terry, Thorpe, Wells, Wilson—49.

NAYS—Messrs. Abell, Balch, Bailey, Baum, Beauvais, Bofill, Buckley, Campbell, Cook J. K., Crozat, Cutler, Dufresne, Duke, Edwards, Fuller, Gastinel, Geier, Gruneberg, Hart, Maas, Mayer, Mendiwerri, Montamat, Morris, Orr, Schnurr, Stocker, Sullivan, Waters—29.

Article 2 was therefore adopted.

Article 3 was next taken up and read.

Mr. Montamat moved to lay the article on

the table, upon which the yeas and nays were demanded, and the following vote taken :

YEAS—Messrs. Baum, Beauvais, Bofill, Bromley, Cazabat, Cutler, Davies, Duke, Dupaty, Edwards, Fish, Gaidry, Hire, Howell, Mann, Mayer, Montamat, Newell, Normand, Ong, Payne J., Paine J. T., Pintado, Shaw, Smith, Stumpf, Taliaferro—27.

NAYS—Messrs. Abell, Austin, Balch, Bailey, Barrett, Bell, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Duane, Dufresne, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Henderson, Hills, Howes, Maas, Maurer, Mendiwerri, Morris, Murphy E., Murphy M. W., O'Conner, Orr, Poynot, Purcell J., Schnurr, Seymour, Spelliey, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters, Wells, Wilson—51.

The motion to lay on the table was therefore lost.

Mr. Foley moved to amend, by adding in line 7 the words, "provided such schools shall be loyal."

Mr. Thorpe offered the following substitute for the article :

That the schools of the parish of Orleans under the immediate charge of the Roman Catholics receive from the State treasury such sums of money for the support of education as will be fairly equal to the appropriation made for the public school system adopted by the State.

On motion of Mr. Foley, the substitute was laid on the table, by the following vote :

YEAS—Messrs. Bailey, Baum, Bofill, Bromley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cutler, Duke, Dupaty, Edwards, Fish, Flagg, Foley, Gastinel, Geier, Gaidry, Hart, Hire, Howell, Maas, Mann, Maurer, Mayer, Montamat, Morris, Newell, Normand, Ong, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Seymour, Shaw, Smith, Spelliey, Stumpf, Taliaferro, and Wells—43.

NAYS—Messrs. Abell, Austin, Balch, Barrett, Beauvais, Bell, Buckley, Cook T., Crozat, Davies, Duane, Dufresne, Flood, Fosdick, Fuller, Gorlinski, Gruneberg, Healy, Harnan, Henderson, Hills, Howes, Mendiwerri, Murphy E., Murphy M. W., O'Conner, Orr, Schnurr, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters, Wilson—35.

Mr. Cazabat offered the following substitute :

No appropriation whatever shall be made by the General Assembly for the support of private schools, but encouragement may be granted to public schools throughout the State.

There having been a question raised as to the correctness of the vote on the substitute offered by Mr. Thorpe, as announced by the president, the vote, as taken by the secretary, was called out by the president, and found to be correct.

On a motion to lay Mr. Cazabat's substitute on the table, the following vote was taken :

YEAS—Messrs. Abell, Austin, Balch, Barrett, Bell, Buckley, Burke, Cook T., Cutler, Duane, Dufresne, Flagg, Flood, Foley, Fosdick, Fuller, Gorlinski, Gruneberg, Healy, Harnan, Henderson, Hills, Howes, Maurer, Mayer, Mendiwerri, Murphy E., Murphy M. W., O'Conner, Orr, Purcell J., Schnurr, Spellicy, Stiner, Sullivan, Terry, Waters, Wells, Wilson—39.

NAYS—Messrs. Bailey, Baum, Beauvais, Boffil, Bromley, Campiell, Collin, Cazabat, Cook J. K., Crozat, Davies, Duke, Dupaty, Edwards, Fish, Gastinel, Geier, Gaidry, Hart, Hire, Howell, Maas, Mann, Montamat, Morris, Newell, Normand, Ong, Paine J. T., Payne J., Pintado, Poynot, Seymour, Shaw, Smith, Stocker, Stumpf, Taliaferro, Thorpe—39.

There being a tie, the president cast his vote in the negative.

The motion to lay on the table was therefore lost.

Mr. Cazabat having stricken out of his substitute the words, "but encouragement may be granted to public schools throughout the State," the substitute was laid on the table.

Article 3 was then rejected, by the following vote :

YEAS—Messrs. Abell, Austin, Balch, Barrett, Bell, Buckley, Cook T., Duane, Dufresne, Flagg, Flood, Fosdick, Gorlinski, Gruneberg, Healy, Harnan, Henderson, Hills, Howes, Maurer, Mayer, Morris, Murphy E., Murphy M. W., O'Conner, Orr, Purcell J., Stocker, Stiner, Sullivan, Terry, Thorpe, Waters, and Wilson—34.

NAYS—Messrs. Bailey, Baum, Beauvais, Boffil, Bromley, Burke, Campbell, Collin, Cazabat, Cook J. K., Crozat, Cutler, Davies, Duke, Dupaty, Edwards, Fish, Foley, Fuller, Gastinel, Geier, Gaidry, Hart, Hire, Howell, Maas, Mann, Mendiwerri, Montamat, Newell, Normand, Ong, Payne J., Paine J. T., Pintado, Poyont, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Taliaferro, and Wells—44.

Mr. Foley moved a reconsideration, which motion was laid on the table.

A motion to adjourn was made and lost.

Article 4 was then taken up.

Mr. Hills offered a substitute, as follows :

Art. 4. The general exercises in the common schools shall be conducted in the English language.

Mr. Cazabat moved to amend by inserting the words "and French," so that the article would read, "the English and French languages." Lost.

Mr. Montamat moved to amend by adding the words, "the English language shall be taught in the public schools of this State."

A motion to lay both substitute and amendment on the table being lost, the question on the adoption of the amendment offered by Mr. Montamat was put and lost on a division—ayes 31, noes 36.

Mr. Hills's substitute was then adopted.

Art. 5 was taken up.

Mr. Gorlinski moved to strike out all after the word organization. Lost.

Mr. Howell offered to substitute article 139 of the constitution of 1852. Lost.

Mr. Smith moved to amend by striking out the word "New Orleans." Laid on the table.

Mr. Montamat moved to strike out the whole article. Tabled.

The article was then adopted by a rising vote—yeas 43, nays 23.

On motion of Mr. Sullivan, a call of the House was ordered, when 78 members answered to their names.

Art. 6 was taken up and read, when Mr. Cazabat moved to insert "public" between the words "of and schools." Adopted.

Mr. Harnan moved to strike out the whole article. Lost.

The article was then adopted, as amended.

On the question of adopting the report as amended as a whole, the following vote was taken :

YEAS—Messrs. Austin, Barrett, Bell, Bromley, Burke, Cazabat, Collin, Cook J. K., Davies, Fish, Flagg, Flood, Fosdick, Fuller, Geier, Gorlinski, Gaidry, Hills, Hire, Howell, Mann, Morris, Murphy E., Normand, Payne J., Paine J. T., Pintado, Poynot, Seymour, Shaw, Smith, Spellicy, Stumpf, Thorpe, Wells, Wilson—36.

NAYS—Messrs. Abell, Balch, Baum, Bailey, Beauvais, Boffil, Buckley, Campbell, Cook T., Crozat, Cutler, Duane, Dufresne, Duke, Edwards, Foley, Gastinel, Gruneberg,

Healy, Harnan, Hart, Henderson, Howes, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., Newell, O'Conner, Ong, Orr, Purcell J., Schnurr, Stocker, Stiner, Sullivan, Taliaferro, Terry- Waters—41.

The report, as amended, was therefore rejected.

Mr. Montamat, on behalf of the Committee on Finance, submitted the following report :

REPORT OF THE FINANCE COMMITTEE OF THE CONSTITUTIONAL CONVENTION OF THE FUNDS FOR PER DIEM OF MEMBERS, MILEAGE, AND SALARIES OF OFFICERS.

1864.

June 18—Balance cash on hand	
this day.....	\$5,514 40
June 21—Appropriation made.	20,000 00

Total balance,.....	\$25,514 40
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June 25—Paid warrant No. 78.....	\$2,030 00
June 25—Paid pay roll No. 2.....	2,170 00
June 25—Paid pay roll No. 3.....	2,110 00
June 25—Paid warrant No. 79.....	2,141 00— \$8,451 00

June 27—Bal. on hand this day...\$17,063 40
Seventeen thousand sixty-three dollars and forty cents.

FUNDS FOR CONTINGENT EXPENSES.

June 18, Balance on hand as per last report.....	\$6,972 53
“ 24, Paid warrant No. 80.....	1,660 25

“ 27, Balance on hand.....	\$5,311 78
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Five thousand three hundred and eleven dollars and seventy-eight cents.

Respectfully submitted,

JOHN P. MONTAMAT,
Acting Chairman Finance Committee.

The Convention then adjourned until tomorrow at 12 M.

Approved.

JOHN E. NEELIS,
Secretary.

TUESDAY, June 28, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Bailey, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills,

Hire, Howell, Howes, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson—81.

The minutes of Monday's proceedings were read and adopted.

On motion of Mr. Campbell, Mr. Stauffer was excused for non-attendance, on account of sickness.

Mr. Cazabat moved a suspension of the rules for the purpose of introducing a resolution relative to adjournment *sine die*.

Lost.

Mr. Beauvais moved a reconsideration of the vote rejecting the report of the Committee on Education ; which motion being carried, he then moved to refer the report to a select committee of five, to report on to-morrow. Adopted.

The president appointed on said committee Messrs. Beauvais, Howell, Wells, Sullivan and Campbell.

The report of the Committee on the mode of Revising the Constitution was then taken up on its third reading.

Mr. Montamat offered as a rider article 141 of the constitution of 1852, which reads as follows :

“ Art. 141. Any amendment or amendments to this constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each House, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and the secretary of state shall cause the same to be published three months before the next general election for representatives of the State Legislature in at least one newspaper in French and English, in every parish in the State in which a newspaper shall be published, and such proposed amendment or amendments shall be submitted to the people at said election ; and if a majority of the voters at said election shall approve and ratify such amendment or amendments the same shall become a part of the constitution.

“ If more than one amendment be submitted at a time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately.”

On motion of Mr. Cazabat, the rider was rejected by a rising vote—ayes 44, noes 18.

Mr. Smith moved to strike out the words “two-thirds,” and insert “a majority.”

On motion of Mr. Montamat, Mr. Smith's rider was rejected by a rising vote—ayes 33, noes 31.

The report was then adopted.

On motion of Mr. Shaw, a recess of half an hour was taken, at the expiration of which time the president called the Convention to order, and the roll being called, only sixty-seven members answered to their names.

The sergeant-at-arms was sent for absent members.

After some delay, Mr. Harnan moved to adjourn, when the yeas and nays were ordered, with the following result:

YEAS—Messrs. Abell, Balch, Bailey, Boffill, Buckley, Burke, Campbell, Cook J. K., Crozat, Decker, Dufresne, Duke, Fosdick, Fuller, Gastinel, Gruneberg, Harnan, Hart, Hills, Hire, Maas, Maurer, Mayer, Montamat, Murphy M. W., O'Conner, Payne J., Pintado, Poynot, Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stumpf, Stiner, Sullivan, Waters—38.

NAYS—Messrs. Austin, Barrett, Beauvais, Bell, Bromley, Cazabat, Cook T., Davies, Edwards, Fish, Flagg, Flood, Foley, Geier, Gorlinski, Gaidry, Henderson, Howes, Howell, Mann, Morris, Murphy E., Newell, Normand, Ong, Purcell J., Pursell S., Smith, Stocker, Taliaferro, Terry, Thorpe, Wenck, Wells, Wilson—35.

Consequently the motion prevailed, and the president declared the Convention adjourned until to-morrow at 12 o'clock M.

Approved.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, June 29, 1864.

The Convention met and was called to order, pursuant to adjournment.

Present, Hon. E. H. Durell, president, in the chair, and the following members:

Messrs. Austin, Balch, Barrett, Baum, Bell, Beauvais, Boffill, Buckley, Burke, Campbell, Cazabat, Collin, Cook J. K., Cook T., Crozat, Davies, Decker, Duane, Dufresne, Dupaty, Duke, Edwards, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Maas, Mann, Maurer, Mayer, Mendiaverri, Montamat, Morris, Murphy E.,

Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wells, Wilson—76.

Absent, the following members:

Messrs. Abell, (excused,) Ariail, Bennie, Bonzano, Bromley, Brott, Cutler, Ennis, (excused,) Heard, Knobloch, (excused,) Kugler, (excused,) Lobdell, Millsbaugh, Montague, Ong, Seymour, (excused,) Stauffer, (excused,) Thomas and Wenck.

On motion, Messrs. Abell and Seymour were excused, as also Mr. Spellicy.

The journal of yesterday was read and approved.

Mr. Fosdick moved a suspension of the rules, in order to correct an error in the report of the Committee on Legislative Department.

Mr. Howell, on behalf of the Special Committee on Public Education, submitted a majority report.

Messrs. Beauvais and Sullivan each submitted a minority report on behalf of the Committee on Public Education.

Mr. Flagg, on behalf of the Committee on Schedule, submitted a majority report.

Mr. Gruneberg, on behalf of the same committee, submitted a minority report.

Mr. Shaw, chairman of the Committee on Ordinance, submitted a report.

Upon Mr. Gruneberg's minority report of the Committee on Schedule being taken up, Mr. Wilson moved to lay it on the table without its being read, but the motion was declared out of order.

Mr. Shaw moved to suspend the rules in order to amend the report of the Committee on Legislative Department; which being carried,

Mr. Stocker offered the following amendment to the third article of the report of the Committee on Legislative Department, to wit, by adding:

There shall also be a session of the General Assembly in the city of New Orleans on the first Monday of October, 1864; and it shall be the duty of the governor, as soon as practicable, after the acceptance of this constitution, to cause a special election to be held for members of the General Assembly in all the parishes where the same may be held with safety to the electors, and in other parishes or districts he shall cause elections to be held as soon as it may be.

come practicable, to fill the vacancies for such parishes or districts in the General Assembly.

The term of office of the first General Assembly shall expire as though its members had been elected on the first Monday of November, 1863.

Mr. Stocker's amendment was adopted by a rising vote—yeas 46, nays 20.

Mr. Hills, with leave of the Convention, presented the following resignation of Mr. Bailey :

To the president and members of the Constitutional Convention :

GENTLEMEN—My objections to the article of the report on general provisions, relative to the extension of the elective franchise to all persons, without distinction of race or color, under certain specified conditions, being such that I could not conscientiously sign the constitution of which that article was made a part by the vote taken on yesterday, I hereby most respectfully tender my resignation as a member of your honorable body.

Respectfully, A. BAILEY.

New Orleans, June 29th.

The resignation was accepted by a rising vote—ayes 54, noes 14.

Mr. Howell moved to suspend the rules, for the purpose of taking up the majority and minority reports of the Committee on Education. Lost.

A motion to suspend the rules, for the purpose of taking up the reports of the Committee on Schedule, was lost.

Mr. Foley then moved to suspend the rules, for the purpose of taking up the report of the Committee on Ordinance. Lost.

Mr. Beauvais moved to reconsider the vote refusing to suspend the rules to take up the reports of the Committee on Education. Lost.

The Convention then adjourned until tomorrow at 12 o'clock M.

Approved.

JOHN E. NEELLS,

Secretary.

THURSDAY, June 30, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Burke, Buckley, Campbell, Collin, Cazabat, Cook

J. K., Cook T., Crozat, Cutler, Davies, Duke, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gaidry, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Howell, Howes, Knobloch, Kavanagh, Maas, Mann, Mendiverri, Maurer, Mayer, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson—86.

Absent—Messrs. Ariail, Bonzano, Brott, Lobdell, Millspaugh, Montague and Thomas.

Mr. Kugler was excused.

The minutes of yesterday's proceedings were read and approved.

On motion of Mr. Montamat, Mr. Heard was excused for his late absence, he having been engaged in the discharge of his official duties as district judge in the parish of East Baton Rouge.

On motion of Mr. Wells, Messrs. Newell and Normand were excused.

The majority and minority reports of the Special Committee on Education being the order of the day, were taken up.

Mr. Sullivan's minority report was read.

Mr. Howell moved to amend article 1, by striking out the word "two" in the second line, and inserting "four." Adopted.

Mr. Terry moved to amend the same article, by striking out in the third and fourth lines the words, "such compensation as the Legislature may direct," and inserting the words, "a salary of four thousand dollars per annum."

On motion of Mr. Montamat, Mr. Terry's amendment was laid on the table.

Mr. S. Pursell offered the following substitute :

Art. —. There shall be elected a superintendent of public education, who shall hold his office for the term of four years. His duties shall be prescribed and compensation fixed by the General Assembly.

Mr. Montamat moved to lay the substitute on the table. Carried.

Article 1 was then adopted as amended.

Article 2 was then taken up and read.

Mr. Davies moved its rejection.

Mr. Henderson offered the following amendment :

Provided, No religious or sectarian prin-

ciples shall be taught in the public schools of this State.

Mr. Smith moved to strike out after the word "appropriated" in the eighth line.

Mr. Austin offered the following amendment, to be added to the article :

Provided, That the Legislature shall make no special appropriations for the support of such associations, after their recognition as public schools.

The question then recurred on Mr. Davies's motion to reject, when the yeas and nays were ordered, and the following vote taken thereon :

YEAS—Messrs. Abell, Austin, Balch, Baum, Beauvais, Bofill, Buckley, Campbell, Collin, Crozat, Cutler, Davies, Decker, Dufresne, Duke, Dupaty, Edwards, Ennis, Flagg, Flood, Gastinel, Gruneberg, Gaidry, Hart, Howell, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiwerri, Morris, Normand, Ong, Payne J., Pintado, Poynot, Pursell S., Schroeder, Schnurr, Shaw, Stumpf, Stauffer, Taliaferro, Wenck, Wells—46.

NAYS—Messrs. Barrett, Bell, Bennie, Burke, Cook J. K., Cook T., Duane, Fish, Foley, Fosdick, Fuller, Gorlinski, Healy, Harnan, Heard, Henderson, Hills, Howes, Mann, Murphy E., Murphy M. W., O'Conner, Orr, Paine J. T., Purcell J., Smith, Spellicy, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters, Wilson—34.

Article 2 of Mr. Sullivan's substitute was therefore rejected.

Article 3 was then taken up and adopted.

Article 4 was read.

Mr. Smith moved to strike out the words "New Orleans," and insert instead the words "such place as may be fixed by the Legislature;" upon which motion no action was taken.

Mr. Stauffer offered the following substitute :

Art. 3. A university, composed of a law department, a medical department and a collegiate department, combining therewith the State seminary of learning, shall be established and maintained.

Mr. Sullivan moved to lay the substitute on the table, upon which motion a rising vote was taken—ayes 37, noes 37, and there being a tie, the President voted in the affirmative.

Mr. Stauffer's substitute was therefore tabled, and article 4 of Mr. Sullivan's substitute again taken up.

Mr. Gorlinski moved to strike out all after the word "organization" in the fourth line.

A motion to lay on the table was lost on a rising vote—ayes 32, noes 33.

Mr. Cutler moved to amend Mr. Gorlinski's motion, by adding, after the word "organization," the words "and maintenance," which amendment was accepted by Mr. Gorlinski, and his motion as amended was adopted.

Article 4 was then adopted as amended.

Articles 5 and 6 were severally read and adopted.

On motion of Mr. Waters, the Convention then adjourned, on a rising vote—ayes 43, noes 33.

Approved.

JOHN E. NEELIS,
Secretary.

FRIDAY, July 1, 1864.

The President called the Convention to order at 12 o'clock M. The secretary called the roll and the following members answered to their names :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Hart, Heard, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Mendiwerri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson—86.

Absent, ten members.

The minutes of yesterday were read and adopted.

On motion of Mr. Crozat, Mr. Bofill was excused.

The reports of the special Committee on Education being the order of the day, were taken up.

Article 1 of Mr. Beauvais's minority report was read.

Mr. Sullivan offered the following amendment :

Insert the word "white" between the words "all" and "children;" and add the words "and private schools of every

denomination, numbering over two hundred scholars, shall be considered public schools."

Mr. Smith moved to strike out the word "white" in Mr. Sullivan's amendment; upon a motion to table Mr. Smith's motion the yeas and nays were ordered, with the following result:

YEAS—Messrs. Abell, Balch, Baum, Barrett, Buckley, Campbell, Collin, Cook J. K., Crozat, Decker, Dufresne, Duke, Edwards, Gastinel, Geier, Gruneberg, Hart, Heard, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., O'Conner, Poynot, Purcell J., Pursell S., Stocker, Sullivan, Waters, Wenck—35.

NAYS—Messrs. Austin, Beauvais, Bennie, Bell, Burke, Cazabat, Cook T., Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gaidry, Gorlinski, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Mann, Murphy E., Newell, Normand, Payne J., Paine J. T., Pintado, Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Wells, Wilson—45.

Motion to lay on the table was therefore lost.

On the question on the adoption of the motion to strike out, the yeas and nays were ordered, with the following result:

YEAS—Messrs. Austin, Bell, Bennie, Burke, Collin, Cazabat, Cook T., Davies, Duane, Dupaty, Ennis, Flagg, Flood, Foley, Fosdick, Gorlinski, Henderson, Hills, Hire, Howell, Howes, Mann, Murphy E., Newell, Normand, Payne J., Paine J. T., Pintado, Schroeder, Shaw, Smith, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Wenck, Wells, Wilson—39.

NAYS—Messrs. Abell, Balch, Barrett, Baum, Beauvais, Buckley, Campbell, Cook J. K., Crozat, Cutler, Decker, Dufresne, Duke, Edwards, Fish, Gastinel, Geier, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., O'Conner, Poynot, Purcell J., Pursell S., Schnurr, Seymour, Stocker, Sullivan, Waters—41.

The motion to strike out was therefore lost.

Mr. Henderson offered the following amendment:

Provided, That no religious, nor any religious sectarian doctrine, shall be taught in the public schools.

Mr. Montamat offered the following substitute:

Art. 3. The General Assembly shall

establish free public schools throughout the State, for white children only, and shall provide for their support by general taxation, on property or otherwise; and all moneys so raised or provided shall be distributed in proportion to the number of children between such ages as shall be fixed by the General Assembly.

On motion of Mr. Duane, the substitute was laid on the table by the following vote:

YEAS—Messrs. Austin, Bell, Bennie, Burke, Collin, Cazabat, Cook T., Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gorlinski, Gaidry, Healy, Harnan, Henderson, Hills, Hire, Howell, Howes, Mann, Murphy E., Newell, Normand, Payne J., Paine J. T., Pintado, Poynot, Schroeder, Shaw, Smith, Spellicy, Stumpf, Stiner, Taliaferro, Terry, Wenck, Wells, Wilson—43.

NAYS—Messrs. Abell, Balch, Barrett, Baum, Beauvais, Buckley, Campbell, Cook J. K., Crozat, Cutler, Davies, Decker, Dufresne, Duke, Edwards, Gastinel, Geier, Gruneberg, Hart, Heard, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., O'Conner, Purcell J., Pursell S., Schnurr, Seymour, Stocker, Stauffer, Sullivan, Waters—38.

Mr. Terry offered the following substitute:

Art. 1. The Legislature shall establish free public schools throughout this State, and provide for their support by taxation on property or otherwise, of white persons, and all moneys so raised shall be distributed to each parish in proportion to the number of white children between certain fixed ages.

Public schools shall also be organized throughout the State for colored children, and all colored persons shall be taxed for their support.

Mr. Terry's substitute was adopted, without opposition.

The majority and minority reports of the Committee on Schedule were taken up on a second reading.

Mr. Gruneberg's minority report was read, and, on motion of Mr. Hills, was laid on the table.

The majority report was then read, when Mr. Gruneberg moved to lay it on the table. Lost.

Article 1 was read and adopted.

Article 2 was read, when Mr. Henderson offered the following amendment, which was laid on the table:

Provided, That all persons now on a charge of a criminal offence, or hereafter to be on such charge, any time before the

adoption of this constitution by the people, shall be bailable by sufficient securities, before and after conviction, as soon as this Convention, by the signature of its members, shall prepare said constitution for adoption as aforesaid.

Provided, That no bail shall be allowed in capital cases, where the proof is evident, or presumption great.

Article 2 was then adopted.

Articles 3 and 4 were severally read and adopted.

Mr. Howell then offered the following additional articles :

Art. 5. Appointments to office by the executive, under this constitution, shall be made by the governor to be elected under its authority.

Art. 6. The term of service of all officers chosen by the people, at the first election under this constitution, shall terminate as though the election had been holden on the first Monday of November, 1863, and they had entered on the discharge of their duties at the time designated therein. The first class of senators, designated in article —, shall hold their seats until the day of the closing of the general elections in November, 1865, and the second class until the general elections in November, 1867.

Mr. Howell's additional articles being severally read and laid on the table, the report was then adopted as a whole, on its second reading.

The report of the Committee on Ordinance was then taken up on its second reading.

Articles 1 and 2 were severally read and adopted.

Article 3 being read, Mr. Thorpe offered the following substitute :

The officers of the State elected on the 22d of February, 1864, shall hold their offices until the 2d Monday of January, 1866, and the election of their successors shall take place on the first Monday in November, 1865, unless otherwise provided by law.

Laid on the table.

Mr. Baum offered the following substitute :

The officers of the State elected on the 22d of February, 1864, shall hold their offices for the respective terms assigned to said officers in this constitution ; but the said terms shall expire as though their installation into office had taken place on the second Monday in January, 1864.

Laid on the table.

The previous question called for by Mr. Montamat was lost.

Mr. Fosdick offered the following substitute :

ORDINANCE.

Should this constitution be accepted by the people, it shall also be the duty of the governor forthwith to issue his proclamation directing the several officers of the State authorized by law to hold elections, or, in default thereof, such officers as he shall designate, to hold an election at the places designated by law on the same day on which the election for members of the General Assembly is ordered by article 3, of the report of the Committee on Legislative Department, for governor, lieutenant-governor, secretary of state, attorney general, treasurer, auditor, and all officers elected by the people under this constitution ; said election to be conducted and the returns thereof made as provided in the second preceding article.

The governor and lieutenant-governor shall be installed in office during the first week of the session of the General Assembly as ordered in the legislative department of this constitution, and all other officers so elected shall be immediately commissioned by said governor, and hold their offices as provided for in this constitution.

On motion of Mr. Smith, Mr. Fosdick's substitute was laid on the table.

Mr. Shaw moved to strike out in the fifth line the words "officers of the State," and insert "for governor, lieutenant governor, secretary of state, auditor of public accounts, treasurer, attorney general, and superintendent of public education." Adopted.

Article 3, as amended, was then adopted by the following vote :

YEAS—Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Cazabat, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Dufresne, Duane, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorlinski, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hire, Howes, Maas, Maurer, Mendiverri, Montamat, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Wenck, Wells—66.

NAYS—Messrs. Burke, Campbell, Duke, Dupaty, Fosdick, Gastinel, Gruneberg, Hills, Howell, Knobloch, Mann, Mayer, Morris, Paine J. T., Waters—15.

Article 4 was then taken up and read.

Mr. Campbell moved to amend by including the word "German."

Mr. Healy moved to strike out the word "French."

Mr. Shaw moved to amend by inserting after the word "in," in the second line, the words "two newspapers, and in one newspaper published in the German language, the papers to be selected by the president of the Convention."

Mr. Healy's motion was then taken up and laid on the table.

Mr. Austin moved to adjourn. Lost by the following vote:

YEAS—Messrs. Austin, Balch, Burke, Collin, Duke, Dupaty, Edwards, Fosdick, Gorlinski, Healy, Harnan, Kavanagh, Normand, Purcell J., Terry, Waters, Wells—17.

NAYS—Messrs. Abell, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Campbell, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Ennis, Fish, Flagg, Flood, Foley, Gastinel, Geier, Gruneberg, Gaidry, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, O'Conner, Ong, Payne J., Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Thorpe, Wenck, Wilson—66.

Mr. Montamat offered the following substitute:

This constitution shall be published in English in the Era, and the official paper of this Convention, and in French in the New Orleans Bee.

Laid on the table by a rising vote—ayes 42, noes 27.

Mr. Shaw's amendment was then adopted.

Article 4, as amended, was then adopted.

Mr. Howell offered the following additional article:

Art. 5. At the election for the adoption or rejection of this constitution there shall be had at each poll an additional ballot-box, in which shall be deposited the vote of each qualified voter, on which shall be written: "The ordinance of emancipation accepted," or "The ordinance of emancipation rejected;" and if said ordinance be adopted, it shall be a part of the constitution of the State, and be inserted as the first and second articles of the General Provisions.

On motion to lay the additional article

on the table, the yeas and nays were ordered, with the following result:

YEAS—Messrs. Abell, Barrett, Bennie, Bell, Burke, Collin, Cazabat, Cook J. K., Cook T., Davies, Decker, Duane, Edwards, Ennis, Flagg, Flood, Foley, Geier, Gaidry, Gorlinski, Healy, Harnan, Henderson, Hire, Hills, Howes, Maas, Maurer, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Paine J. T., Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Wells—53.

NAYS—Messrs. Austin, Balch, Beauvais, Baum, Buckley, Campbell, Crozat, Cutler, Dufresne, Duke, Fish, Fosdick, Gastinel, Gruneberg, Hart, Heard, Howell, Kavanagh, Knobloch, Mann, Mayer, Mendiverri, Montamat, Ong, Seymour, Sullivan, Wilson, Waters, Wenck—29.

Mr. Howell's article was therefore laid on the table.

The report, as amended, was then adopted on its second reading as a whole.

The Convention then adjourned.

Approved.

JOHN F. NEELIS,
Secretary.

SATURDAY, July 2, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members:

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson—86.

The minutes of yesterday were read and adopted.

On motion of Mr. Wells, Mr. Gaidry was excused.

Mr. Orr was excused for his absence on yesterday.

Mr. Montamat presented the following

petition, and offered the accompanying resolution:

To the honorable president and members of the Constitutional Convention:

GENTLEMEN—The undersigned residents of suburb Trémé, in the Second District of the city of New Orleans, most respectfully petition your honorable body to pass an ordinance making it the duty of the city authorities to cause to be constructed, as soon as possible, on Galvez street, across Canal Carondelet, a bridge exactly similar to the one built across said Canal Carondelet, on Broad street. The advantages to result by its construction will be immense to the large number of persons residing in that part of the city, enabling them to supply their families at the Trémé Market, the improvement asked by your petitioners shortening the present distance almost one mile, and opening also a direct communication with the First and Third Districts.

The whole is most respectfully submitted to your honorable body, and your petitioners will ever pray.

New Orleans, June 28, 1864.

John Murphy,	John P. Montamat,
John Fisher,	George Merz,
John Siegenthaler,	George Eikz,
Antonie Ramusat,	Michael Sehally,
Nicholaris Frietsch,	Adam Kurtmann,
Karl Steitz,	B. Camet,
J. Neuhauser,	T. Kiphaut,
F. Aufenkolk,	Joseph Gros,
Peter Leind,	M. Bourlett,
S. Joseph,	M. Fritz,
Ph. Shindler,	L. Latto,
E. Hacker,	Klofot,
Peter Freibert,	Pour,
George Woerney,	George P. Lombard,
P. Kerwann,	D. Laborde,
S. Kaller,	K. Burkert,
Fr. Robert,	John Schonhardt,
O. Noack,	P. W. Sheridan,
Adam Spies,	C. Murphy,
Mrs. E. H. Behan,	J. Rolling,
Cassimer Glade,	H. Rolling,
J. W. Bailey,	Ch. Rolling,
John Henneberg,	S. Oswald,
Henry Leebis,	Thomas Killea,
Hte. Demoreulle,	P. Grant,
Ernest Demoreulle,	Morris Hiccey,
J. Demoruelle,	F. A. Siener,
D. Barker,	Joney Poley,
Pat. Killea,	Mike Byrne,
Larins McDonell,	Dan. Byrne,
Felix M. Jacobs,	James Dunn,
Joseph Fisher,	P. Moffit,
William Rourke,	John Cavanagh,
Garret Kirwan,	Jary Murphy,
Francis Cullen,	J. Warner,
James Cullen,	Laurence Rinney,
P. Deverges,	S. Roman,
James Lilly,	A. Garrer,
Chas. Lawson,	Conrad Brand,

Ph. Hoffman,	D. Constantine,
F. Graeser,	A. Herbee,
John McVittie,	W. Graff,
Ruston Newlove,	Wolf Shreber,
Henry Gallew,	Conrad Graff,
Joseph Upulte,	S. Lacost,
Heinriez Scheulte,	Murtz Coners,
Pinna Clemant,	Barney Kelley,
Hugh Doherty,	John Coner,
Thaddeus Oberyefell,	James Butler,
A. Beaise,	Mrs. Filsgerlid,
J. Baldwin,	Ed. Blust,
Valentine Rothany,	A. Schamber,
S. Shmizer,	G. Doll,
Jos. Muller,	Patrick Burke,
Burgard Torer,	Raynal Auguste,
Daniel Sheply,	Edward Moran,
Chas. J. Lester,	L. C. Preston,
Wm. Graham,	James Fallon,
Frauk Goulemus,	Alexander Lea,
Wm. C. Harrison,	John T. Ives,
John Koepfer,	John Fisher,
James Woulfe,	John Buckley, Jr.,
Freedolin Hesty,	Jas. A. Mourton,
John Foley,	Vor. Hébert, Jr.,
Jeremiah Ryan,	M. O'Donnell,
William Myhar,	Louis Brevier,
Henry Steward,	Conrad Murlsnur,
C. Winketsmann,	Ge Bilher-Barb,
Paul,	B. Lanaberi,
John Funk,	Jacob Eichhorn,
Peter Funk,	J. B. Henry,
M. Christoffel,	Abrusir Storck,
M. Halbritter,	John Orth,
J. Relin,	Joseph Henry,
M. Conway,	Louis Koch,
Henry Jollissaint,	T. F. Kavanagh,
N. Chenal,	Ernest J. Wenck,
Dennis Murphy,	Henry Boeylin.

Resolved, That the Legislature shall, at its first session, pass an act making it the duty of the city authorities of the city of New Orleans to build, as soon as possible, on Galvez street, across Canal Carondelet, a bridge exactly similar to the one built across said Canal Carondelet on Broad street.

On motion of Mr. Wells, the petition and resolution were laid on the table by a rising vote—ayes 46, noes 23.

Mr. Hills, chairman of the special committee on charitable institutions, submitted the following report:

To the President and members of the Constitutional Convention of Louisiana:

GENTLEMEN—The undersigned members of your committee on public charities respectfully report:

That in view of the wide-spread destitution and suffering in this community, and the inadequacy of means in the hands of our various charitable institutions, they are of opinion that relief should be afforded

by this body, and they therefore recommend the adoption of the following :

Resolved, That the sum of thirty-five thousand dollars be, and the same is hereby, appropriated from the State treasury for purposes of charity, the same to be distributed by a board of almoners to be appointed by the Governor, and to consist of five citizens, three of whom shall constitute a quorum for business. The Governor of the State shall be ex-officio president of the board, and the money shall be drawn on his warrant, countersigned by the secretary of the board.

All of which is respectfully submitted.

ALFRED C. HILLS, Chairman.

JOHN SULLIVAN,

W. T. STOCKER,

CHARLES SMITH.

Mr. Beauvais moved to lay on the table, upon which motion the yeas and nays were ordered, with the following result :

YEAS — Messrs. Burke, Collin, Cazabat, Davies, Decker, Duke, Dupaty, Ennis, Flagg, Howell, Knobloch, Normand, Paine J. T., Wenck, Wells—15.

NAYS — Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Cook J. K., Cook T., Cutler, Duane, Dufresne, Edwards, Fish, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, O'Conner, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wilson—62.

The motion to lay on the table was therefore lost.

Mr. Cazabat offered the following amendment :

Provided, This appropriation for charitable purposes will apply to the relief of destitute Union refugees from Louisiana, and the widows and orphans of Union soldiers who have lost their lives in the service of the United States army.

Laid on the table.

Mr. Smith moved the adoption of the report and resolution, upon which the yeas and nays were ordered, resulting as follows :

YEAS — Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Cook J. K., Cook T., Crozat, Cutler, Decker, Duane, Dufresne, Edwards, Fish, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Maas, Mann, Maurer, Mayer, Mon-

tamat, Morris, Murphy E., Murphy M. W., O'Conner, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wilson—63.

NAYS — Messrs. Burke, Collin, Cazabat, Davies, Duke, Dupaty, Ennis, Flagg, Howell, Knobloch, Newell, Normand, Paine J. T., Pintado, Taliaferro, Wells—16.

The report and resolution were then adopted.

Mr. Austin called up the report of the special committee on the report of the auditor of public accounts.

Mr. Hills moved that the reading be dispensed with and the whole matter laid on the table. Lost.

The report was then read.

Messrs. Harnan and Thorpe moved to lay it on the table, which motion was lost on a division—ayes 15, noes 45.

Mr. Abell moved to postpone the matter until this day two weeks hence.

Mr. Terry moved to lay Mr. Abell's motion on the table, upon which a division was called for, resulting—ayes 32, noes 32. There being a tie, the president voted in the negative, and the motion to lay on the table was therefore lost.

A rising vote was then taken on Mr. Abell's motion to postpone, resulting—yeas 33, nays 39. The motion was therefore lost.

The report was then adopted by the following vote :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bennie, Bofill, Burke, Collin, Cazabat, Crozat, Cutler, Decker, Duane, Duke, Dupaty, Ennis, Fish, Flagg, Foley, Gastinel, Geier, Healy, Hart, Heard, Hire, Howes, Kavanagh, Knobloch, Mann, Maurer, Mendiverri, Morris, Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Wenck, and Wells—55.

NAYS — Messrs. Abell, Bell, Buckley, Cook J. K., Cook T., Dufresne, Flood, Fosdick, Gorlinski, Gruneberg, Harnan, Henderson, Hills, Maas, Mayer, Montamat, Murphy E., Murphy M. W., Poynot, Sullivan, Waters, and Wilson—22.

Mr. Hills moved to adjourn until Tuesday, 5th inst., at 12 o'clock, M. Lost on a division—ayes 28, nays 44.

Mr. Burke moved to adjourn until the

11th inst., at 12 o'clock, M. Lost on a division—ayes 35, noes 49.

The Convention then adjourned until Wednesday next, 6th inst., at 12 o'clock, M. Approved.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, July 6, 1864.

The Convention met pursuant to adjournment, and the president being absent, on motion of Mr. Beauvais, Mr. Hills was called to the chair.

The secretary called the roll, and the following members answered to their names:

Messrs. Austin, Balch, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Edwards, Ennis, Flood, Foley, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Hills, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Wells, Wilson—67.

There being no quorum, the sergeant-at-arms was dispatched for absent members.

On motion of Mr. Shaw, a recess of fifteen minutes was taken, at the expiration of which the roll was again called, and the following members answered to their names:

Messrs. Austin, Balch, Barrett, Baum, Beauvais, Bell, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Edwards, Ennis, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Wells, Wilson—72.

Absent—Mr. President and Messrs. Abell, Atrial, Bennie, Bonzano, Brott, Cazabat, Decker, Duke, Dupaty, Fish, Flagg, Henderson, Lobdell, Millspaugh, Montague, Ong, Orr, Seymour, Thorpe, Waters, Thomas and Wenck—23.

No quorum.

Mr. Balch moved to adjourn. Lost on a division—yeas 25, nays 33.

After some delay, there still being no quorum, on motion of Mr. Smith, the Convention adjourned until 12 o'clock, M., tomorrow.

Approved.

JOHN E. NEELIS,
Secretary.

THURSDAY, July 7, 1864.

The Convention met, pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members:

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson—84.

The minutes of Saturday's and Wednesday's proceedings were read and adopted.

Mr. Shaw moved that a Committee on Form and Arrangement be appointed by the chair, to consist of five members, with instructions to re-arrange and number the articles, correct mistakes, and make a printed report to the Convention; which motion having been carried, the president appointed on said committee Messrs. Shaw, Thorpe, Henderson, Cazabat and Smith. On motion of Mr. Thorpe, the President was added to said committee.

Mr. Smith offered the following resolution, which was laid over:

Whereas, during the present rebellion individuals, as well as corporations and parishes, have issued a worthless paper currency, and forced its circulation on the poorer and only loyal classes of the community, therefore be it

Resolved, That a special committee of five be appointed to take into consideration the propriety of forming an article or articles to prevent the recurrence of the same in future, and to hold the property of what

ever character, whether belonging to husband or wife, parishes or corporations for the redemption of the same, and that the committee be also instructed to submit to this Convention, for its approval or rejection, the draft of a petition to be sent to the Congress of the United States, asking them to empower the parishes of the State of Louisiana to apply the proceeds of sales of property of disloyal citizens for the purpose of redeeming the paper currency issued by them.

Mr. Abell moved a reconsideration of the vote of Friday last, on Mr. Howell's additional article, relative to submitting the emancipation ordinance to a vote of the people.

Mr. Montamat, on behalf of the Committee on Finance, submitted the following :

REPORT OF THE FINANCE COMMITTEE OF THE
CONSTITUTIONAL CONVENTION OF THE FUNDS
FOR THE PAYMENT PER DIEM OF MEMBERS,
SALARIES OF OFFICERS AND EMPLOYEES.

1864.

June 25--Balance on hand in the State treasury.....	\$19,074 10
July 2--Paid warrant No. 81.....	\$2,030 00
July 2--Paid warrant No. 81.....	2,170 00
July 2--Paid warrant No. 81.....	2,860 00
July 2--Paid warrant No. 82.....	1,981 00
July 2--Paid warrant No. 83.....	1,199 82--
July 6--Balance on hand.....	\$8,806 28
To which must be added the sum of.....	1,199 82
paid for salaries of employes, which properly belongs to expense account.	
The sum of \$2328 08, being the balance on hand of the appropriation for contingent expenses, was paid out, that account fell short \$1199 82, which was drawn from the appropriation for per diem and salaries, as stated above.	
Real balance.....	\$10,006 10

Mr. Montamat also submitted the following recommendation, on be behalf of said committee :

The Convention being on the eve of adjourning, your committee respectfully recommend that a compensation be given to the following officers of this body :

J. E. Neelis, secretary, \$500; L. O. Man-

reau, warrant clerk and clerk of finance committee, \$250.

Respectfully submitted,
JOHN P. MONTAMAT,
Acting Chairman Finance Committee.
JOHN SULLIVAN,
L. P. NORMAND,

Mr. S. Pursell submitted the following report of the Committee on Contingent Expenses :

To the honorable the president and members of the Constitutional Convention :

GENTLEMEN—Your Committee on Contingent Expenses, have the honor to report the exhaustion of the amount of twenty-five thousand dollars, formerly appropriated, and ask for a further appropriation of five thousand dollars, and offer the following resolution :

Resolved, That the sum of five thousand dollars be and the same is hereby appropriated out of the general funds of the State for the purpose of paying the contingent expenses of this Convention.

S. PURSELL, Chairman,
JOHN PAYNE,
JOHN A. NEWELL,
JAMES DUANE,
ROBT. B. BELL.

The rules were suspended and the resolution adopted.

Mr. Stauffer rose to a question of privilege, and said that he was informed that Mr. Knobloch had not voted on the emancipation ordinance, whereupon the secretary was directed to report to the Convention on to-morrow the names of such members as have not recorded their votes on that question.

Mr. Austin offered the following resolution :

Resolved, That the members of this Convention, who went to Baltimore as delegates, be entitled to their per diem pay.

Laid over.

Mr. Abell called for the reading of Mr. Howell's additional article, offered on Friday last, on his motion to reconsider, which being read, Mr. Smith moved to lay the motion to reconsider on the table, which was carried by a rising vote—ayes 46, noes 27.

The Convention then resumed its action on the second reading of the minority report of the Special Committee on Education, presented by Mr. Sullivan.

The report, as heretofore amended, was read, when Mr. Terry offered the following substitute for article 2 :

Art. 2. The Legislature shall establish free public schools throughout the State for the education of white children, and shall provide for their support by taxation laid upon property of white persons; and all moneys so raised shall be distributed to each parish in proportion to the number of white children contained therein, between such ages as shall be fixed by law.

The Legislature shall also establish free public schools throughout the State, for the education of colored children, and shall provide for their support by taxation laid upon property of colored persons; and all moneys so raised shall be distributed to each parish in proportion to the number of colored children contained therein, between such ages as shall be fixed by law.

Mr. Henderson offered the following substitute for Mr. Terry's, viz :

Art. 2. The Legislature shall levy a special tax on the property of white persons owning property in the State, for the purpose of public schools for the education of white children, and money so arising shall not be otherwise appropriated.

The Legislature shall levy a special tax on colored persons in the State and their property, for the purpose of public schools for the education of colored children, and money so arising shall not be otherwise appropriated.

Mr. Davies offered as a substitute, the first article of the majority report of the committee. Rejected.

The question was then put on the adoption of Mr. Henderson's substitute, and a division being called for, the substitute was adopted by the following vote: yeas 50, nays 19.

Mr. Hills offered the following additional article :

All asylums for orphans, containing over two hundred scholars, shall be considered public schools of the State.

On a motion to lay on the table, the yeas and nays were ordered and the following vote taken :

YEAS—Messrs. Baum, Beauvais, Burke, Campbell, Collin, Cazabat, Cook J. K., Davies, Decker, Edwards, Ennis, Flagg, Flood, Gastinel, Geier, Gaidry, Hart, Heard, Hire, Howell, Kavanagh, Kugler, Maas, Mann, Mendiverri, Morris, Newell, Normand, Ong, Paine J. T., Pintado, Pursell S., Schroeder, Seymour, Shaw, Stumpf, Taliaferro, Wenck, Wells—39.

NAYS—Messrs. Abell, Austin, Balch, Barrett, Bell, Bennie, Bofill, Bromley, Buckley, Cook T., Crozat, Duane, Dufresne, Fish, Foley, Fosdick, Fuller, Gorlinski, Grune-

berg, Healy, Harnan, Henderson, Hills, Howes, Knobloch, Maurer, Montamat, Murphy M. W., O'Conner, Orr, Poynot, Purcell J., Schnurr, Smith, Spellicy, Stocker, Stiner, Stauffer, Sullivan, Terry, Thorpe, Waters, Wilson—43.

The motion to lay on the table was therefore lost.

A call for the previous question was made and lost.

Mr. Cazabat offered the following substitute for Mr. Hills' article, to-wit :

No appropriation shall be made by the Legislature for the support of any private school or institution of learning whatever, but the highest encouragement shall be granted to public schools throughout the State.

A motion to lay on the table was lost on a rising vote—yeas 36, nays 53.

A motion to adjourn was made, and the yeas and nays ordered thereon, resulting as follows :

YEAS—Messrs. Buckley, Burke, Edwards, Waters—4.

NAYS—Messrs. Abell, Austin, Barrett, Bell, Bennie, Bofill, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Wenck, Wells, Wilson—71.

The motion to adjourn was therefore lost.

Mr. Cazabat's substitute was then adopted by the following vote :

YEAS—Messrs. Austin, Bennie, Bofill, Bromley, Burke, Campbell, Collin, Cazabat, Cook J. K., Davies, Decker, Edwards, Ennis, Fish, Flagg, Flood, Gastinel, Gaidry, Hart, Heard, Hire, Howell, Kugler, Maas, Mann, Maurer, Montamat, Morris, Newell, Normand, Ong, Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Shaw, Smith, Spellicy, Stumpf, Stauffer, Taliaferro, Wenck, Wells, Wilson—45.

NAYS—Messrs. Abell, Barrett, Bell, Buckley, Cook T., Crozat, Cutler, Duane, Dufresne, Foley, Fosdick, Fuller, Geier, Gorlinski, Gruneberg, Healy, Harnan, Henderson, Hills, Howes, Knobloch, Murphy M. W., O'Conner, Orr, Purcell J., Schnurr, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters—32.

The report as amended was then adopted as a whole on its second reading by the following vote :

YEAS—Messrs. Austin, Barrett, Bell, Bennie, Bromley, Burke, Campbell, Cazabat, Cook J. K., Crozat, Davies, Edwards, Ennis, Fish, Flagg, Flood, Gastinel, Geier, Gorlinski, Hart, Henderson, Hills, Hire, Howell, Kugler, Maas, Mann, Maurer, Montamat, Morris, Newell, Normand, Ong, Paine J. T., Pursell S., Schroeber, Schnurr, Smith, Stumpf, Stauffer, Taliaferro, Wenck, Wells, Wilson—44.

NAYS—Messrs. Abell, Bofill, Buckley, Collin, Cook T., Cutler, Decker, Duane, Dufresne, Foley, Fosdick, Fuller, Gruneberg, Gaidry, Healy, Harnan, Heard, Howes, Knobloch, Murphy M. W., O'Conner, Orr, Pintado, Purcell J., Shaw, Spellicy, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters—32.

The Convention then adjourned until tomorrow at 12 o'clock M.

Approved.

JOHN E. NEELIS,

Secretary.

FRIDAY, July 8, 1864.

The Convention met, pursuant to adjournment, and was called to order by the president.

The secretary called the roll, and the following members answered to their names :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Bromley, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Waters, Wenck, Wells, Wilson, and Mr. President—84.

The minutes of yesterday's proceedings were read and adopted.

Mr. Davies offered the following resolution :

Be it resolved, That the Legislature of this State, during its next session, be instructed to order the authorities of this city to cause a bridge to be constructed on Claiborne street, across the new canal, be-

longing to the Canal and Banking Company.

Laid over.

Mr. Montamat offered the following :

An ordinance authorizing the city corporation of New Orleans to build a bridge over the Canal Carondelet, opposite Galvez street, similar to the one now at Broad street.

Be it ordained, That the city corporation of New Orleans be and is hereby authorized to build a bridge over the Canal Carondelet, opposite Galvez street, (similar to the one now built at the foot of Broad street,) in such manner as not to prevent the free ingress and egress of vessels; this ordinance to take effect from and after its passage.

Laid over.

The report of the special committee on education was taken up on its third reading.

Mr. Sullivan offered the following rider to article 2 :

Provided, That all institutions, of every denomination, comprising the mixed character of charity and asylums for orphans which educate children, shall be considered public schools of the State, and shall receive their pro rata of the school fund.

Mr. Stauffer moved to lay the rider on the table, upon which question the yeas and nays were ordered, resulting as follows :

YEAS—Messrs. Baum, Beauvais, Bennie, Bofill, Bromley, Burke, Campbell, Collin, Cook J. K., Davies, Edwards, Ennis, Flagg, Flood, Gastinel, Geier, Gaidry, Hart, Hire, Howell, Kugler, Maas, Morris, Newell, Normand, Payne J., Paine J. T., Pintado, Pursell S., Schroeder, Seymour, Shaw, Smith, Stumpf, Stauffer, Taliaferro, Wenck, Wells, Wilson—39.

NAYS—Messrs. Abell, Austin, Balch, Barrett, Bell, Buckley, Cook T., Crozat, Decker, Duane, Dufresne, Fish, Foley, Fosdick, Fuller, Gorlinski, Gruneberg, Healy, Harnan, Heard, Henderson, Hills, Howes, Kavanagh, Knobloch, Mann, Maurer, Montamat, Murphy E., Murphy M. W., Orr, Poynot, Purcell J., Schnurr, Spellicy, Stiner, Sullivan, Terry, Thorpe, Waters—40.

The motion to lay on the table was therefore lost.

On motion to adopt the rider, the yeas and nays were ordered, and the rider was rejected by the following vote :

YEAS—Messrs. Abell, Austin, Balch, Barrett, Beauvais, Bell, Buckley, Cook T., Decker, Duane, Dufresne, Fish, Foley, Fosdick, Fuller, Gorlinski, Healy, Harnan, Heard, Henderson, Hills, Howes, Kavanagh, Knobloch, Murphy E., Murphy M. W.,

Orr, Purcell J., Schnurr, Spellicy, Stocker, Stiner, Sullivan, Terry, Thorpe, Waters—36.

NAYS—Baum, Bennie, Bofill, Bromley, Burke, Campbell, Collin, Cook J. K., Crozat, Davies, Edwards, Ennis, Flagg, Flood, Gastinel, Geier, Gruneberg, Gaidry, Hart, Hire, Howell, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Morris, Newell, Normand, Payne J., Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Shaw, Smith, Stumpf, Stauffer, Taliaferro, Wenck, Wells, Wilson—44.

Mr. Smith moved the adoption of the report on its third reading, whereupon the yeas and nays were ordered, and the following vote taken :

YEAS—Messrs. Austin, Barrett, Beauvais, Bell, Bennie, Bromley, Burke, Campbell, Collin, Cook J. K., Davies, Edwards, Ennis, Fish, Flagg, Flood, Gastinel, Geier, Gaidry, Hart, Henderson, Hills, Hire, Howell, Knobloch, Kugler, Maas, Mann, Mendiverri, Morris, Murphy E., Newell, Normand, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Stumpf, Stiner, Stauffer, Taliaferro, Wenck, Wells, Wilson—50.

NAYS—Abell, Balch, Baum, Bofill, Buckley, Cook, T., Crozat, Decker, Duane, Dufresne, Foley, Fosdick, Fuller, Gorlinski, Gruneberg, Healy, Harnan, Heard, Howes, Kavanagh, Maurer, Montamat, Murphy M. W., O'Conner, Orr, Shaw, Spellicy, Stocker, Sullivan, Terry, Thorpe, Waters—32.

The motion was therefore carried and the report adopted on its third reading.

The report of the Committee on Schedule was then taken up on its third reading.

Mr. Henderson offered the following as a rider :

Common carriers, in all cases of contracts and quasi-contracts, offences and quasi-offences, where by law there are parties, may be liable in vindictive damages where, under the American and English jurisprudence regulating common carriers, such damages are legitimate and proper.

On a motion to adopt the rider the following vote was taken :

YEAS—Messrs. Balch, Bell, Bennie, Buckley, Campbell, Cook J. K., Cook T., Crozat, Duane, Flood, Foley, Gorlinski, Healy, Harnan, Henderson, Hills, Hire, Howes, Kavanagh, Murphy E., Murphy M. W., O'Conner, Orr, Paine J. T., Poynot, Smith, Stocker, Stiner, Terry, Thorpe, Wilson—31.

NAYS—Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bofill, Bromley, Burke, Collin, Cutler, Davies, Decker, Dufresne, Edwards, Ennis, Fish, Flagg, Fuller, Gas-

tinel, Geier, Gruneberg, Gaidry, Hart, Heard, Howell, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Morris, Newell, Normand, Payne J., Pintado, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Spellicy, Stumpf, Stauffer, Sullivan, Taliaferro, Waters, Wenck, Wells—51.

Mr. Henderson's rider was therefore rejected.

The report was then adopted on its third reading.

The report of the Committee on Ordinance was then taken up on its third reading.

Mr. Shaw offered a rider, striking out in the fifth line of the first article, the word "third," and substituting the word "first," and in the sixth line striking out "July" and substituting "September," and also in the first line of the second article striking out the word "first" and inserting "third," and in the second line of same article, striking out the word "August" and inserting "September;" and further, inserting after the word "office" in the eighth line of the third article, the words "and shall hold their offices for the terms prescribed in this constitution, counting from the second Monday of January next, preceding their entering into office, in case they do not enter into office on that date," and inserting after the word "constitution," in the twelfth line of the same article, the words "and if not sooner held, the election of their successors shall take place on the first Monday of November, 1867, in all parishes where the same can be held, the officers elected on that date to enter into office on the second Monday of January, 1868;" and further, inserting in the first line of the fourth article, after the word "in," the words "three papers to be selected by the president of the Convention, whereof two shall publish the same in English and French, and one in German;" and also inserting in the third line of the same article, after the word "adjournment," the words "of the Convention" striking out in the same line the word "third," and inserting "first," and in the fourth line striking out the word "July" and inserting "September."

Mr. Shaw's rider was accepted by the Convention; and the report was then adopted on its third reading.

The Convention then adjourned until 12 o'clock m., to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

SATURDAY, July 9, 1864.

The Convention met pursuant to adjournment.

Present the Hon. E. H. Durell, president, and the following members:]

Messrs. Abell, Austin, Balch, Barrett, Bell, Bennie, Buckley, Burke, Collin, Cook J. K., Crozat, Decker, Duane, Dufresne, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Mann, Maurer, Mayer, Montamat, Murphy M. W., Newell, Normand, O'Conner, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Waters, Wenck, Wells, Wilson—65.

After some delay a quorum being present the Convention adjourned until Thursday, 14th inst., at 12 o'clock m.

[Approved.]

JOHN E. NEELIS,
Secretary.

THURSDAY, July 14, 1864.

The Convention met, pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Menderverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Pursell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—83.

The minutes of Friday and Saturday's proceedings were read and adopted.

On motion of Mr. Abell, Mr. Stauffer was excused on account of illness.

Mr. Hills, chairman of the Special Com-

mittee on the State Library, submitted a verbal report and asked that the committee be discharged from further consideration of the subject. He also offered the following resolution :

Resolved, That the thanks of this Convention be and are hereby tendered to Maj. Gen. Banks and to Michael Hahn, governor of the State, for their willingness to bring from Baton Rouge to this city various volumes belonging to the State Library, as set forth in the communication of the secretary of state and of the state librarian.

The report and resolution were adopted, and the committee discharged.

Mr. Bell offered the following resolution:

Whereas, There exists an indebtedness resulting from the inauguration on the 4th of March, 1864, of the first free State officers of Louisiana, and other expenses incurred for the furtherance of free State government in Louisiana, amounting to about \$10,000 ;

I therefore be it resolved, That the sum of ten thousand dollars, be and is hereby appropriated for the payment of the same, which may be approved by a committee of seven, consisting of state auditor, state treasurer, secretary of state, and four members of this Convention, to be appointed by the president.

Mr. Henderson offered the following as a substitute, which was accepted by Mr. Bell :

Whereas, A debt of ten thousand dollars has been created in the formation of the free State of Louisiana ;

Therefore it is resolved, That said sum be paid out of the treasury of the State, upon the warrant of the governor of said State.

The resolution was put upon its passage, and the yeas and nays having been ordered, the following vote was taken :

YEAS—Austin, Barrett, Beauvais, Bell, Buckley, Burke, Collin, Cook T., Cook J. K., Crozat, Cutler, Davies, Duane, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Gorlinski, Healy, Harnan, Hart, Henderson, Hire, Howes, Mann, Maurer, Menderverri, Murphy E., Newell, Normand, O'Conner, Ong, Orr, Pintado, Poynot, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—58.

NAYS—Messrs. Abell, Balch, Decker, Dufresne, Heard, Howell, Kugler, Maas, Mayer, Montamat, Morris, Murphy M. W., Payne J., Sullivan—14.

There being no quorum voting, a call of the House was ordered, when only seventy-five members responded to their names.

The sergeant-at-arms was sent for absent members. Some of the absent members having taken their seats, the vote was again taken upon the adoption of Mr. Henderson's substitute, resulting as follows :

YEAS—Messrs. Austin, Barrett, Beauvais, Bell, Buckley, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Gorlinski, Healy, Harnan, Hart, Henderson, Hire, Howes, Mann, Maurer, Mendiverri, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Taliaferro, Terry, Thorpe, Thomas, Waters, Wells, Wilson—60.

NAYS—Messrs. Abell, Balch, Decker, Dufresne, Heard, Howell, Kugler, Maas, Mayer, Montamat, Morris, Payne J., Sullivan, Wenck—14.

Mr. Henderson's substitute was therefore adopted.

Mr. Hills was excused from voting on the foregoing question.

Mr. Montamat submitted the following report as chairman of the Finance Committee :

REPORT OF THE FINANCE COMMITTEE.

Amount paid for per diem of members from 2d to July 9th, 1864. \$7,800 00
Amount for salaries of officers: . . . 1,981 00
Amount for contingent expenses. 2,411 25

\$12,192 25

Balance on hand \$1,124 03 belonging to contingent expense account.

Your committee recommend that they be authorized to draw from the general funds out of the treasury of the State the amount necessary for the payment of members, officers, employes and contingent expenses, until the end of the session.

Respectfully submitted,

JOHN T. MONTAMAT,

Acting Chairman Finance Committee.
New Orleans, July 8, 1864.

On motion the report and recommendations were adopted.

Mr. Thorpe offered the following resolution :

Resolved, That all decisions of the courts of the State that declare slavery exists in the State, are contrary to the fundamental laws of the State, and is a contempt of the emancipation ordinance passed by this Convention.

Mr. Sullivan moved to lay the resolution on the table, upon which question the yeas

and nays were ordered with the following result :

YEAS—Messrs. Abell, Balch, Barrett, Beauvais, Buckley, Crozat, Cutler, Decker, Dufresne, Edwards, Fish, Fuller, Gastinel, Geier, Gruneberg, Healy, Heard, Howell, Knobloch, Maas, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, Ong, Purcell J., Schnurr, Seymour, Stumpf, Sullivan, Thomas, Waters, Wenck, Wells, Wilson—38.

NAYS—Messrs. Austin, Bell, Bennie, Burke, Collin, Cook J. K., Cook T., Davies, Duane, Dupaty, Ennis, Flagg, Flood, Foley, Gorlinski, Harnan, Hart, Henderson, Hills, Hire, Howes, Kugler, Mann, Maurer, Murphy E., O'Conner, Orr, Payne J., Pintado, Poynot, Pursell S., Schroeder, Shaw, Smith, Spellicy, Stocker, Stiner, Taliaferro, Terry, Thorpe—40.

The motion to lay on the table was therefore lost.

After a lengthy discussion the Convention adjourned until 12 M. to-morrow.

Approved.

JOHN E. NEELIS,

Secretary.

FRIDAY, July 15, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, and the following members :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvias, Bell, Bennie, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Paine J. T., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—83.

The minutes of yesterday's proceedings were read and adopted.

On motion of Mr. Flagg, Mr. Seymour was excused for non-attendance.

Mr. Montamat, chairman of the Finance Committee, offered the following resolution, which was adopted, viz :

Resolved, That the Finance Committee be, and is hereby authorized, to draw from the treasury of the State, (from all moneys

not otherwise appropriated,) any amount necessary for the payment of members, officers, employés, and contingent expenses of this Convention.

Mr. Smith offered the following resolution :

Resolved, That in view that this Convention has adopted an article separating taxation, for the benefit of education, under two distinct heads—one for the education of the white and the other for the education of the colored children—it becomes necessary, in order to avoid difficulty in the future, that it should also define what degree of blood constitutes a colored person.

Mr. Montamat moved to lay the resolution on the table. Lost on a rising vote—ayes 30, nays 33.

The resolution was then put upon its passage and lost by a rising vote of ayes 23, nays 47.

Mr. Montamat called up the following ordinance :

An ordinance authorizing the city corporation of New Orleans to build a bridge over the Canal Carondelet, opposite Galvez street, similar to the one now at Broad street.

Be it ordained, That the city corporation of New Orleans be, and is hereby authorized to build a bridge over the Canal Carondelet, opposite Galvez street, (similar to the one now built at the foot of Broad street) in such manner as not to prevent the free ingress and egress of vessels ; this ordinance to take effect from and after its passage.

On a motion to lay on the table, a division was called for, resulting—yeas 32, nays 19.

The ordinance was therefore laid on the table.

Mr. Smith called up the following preamble and resolution :

Whereas, during the present rebellion, individuals as well as corporations and parishes have issued a worthless paper currency and forced its circulation on the poorer and only loyal class of the community ;

Therefore be it Resolved, That a special committee of five be appointed to take into consideration the propriety of framing an article or articles to prevent the recurrence of the same in future, and to hold the property, of whatever character, whether belonging to husband or wife, parishes or corporations, for the redemption of the same, and that the committee be also instructed to submit to this Convention, for its approval or rejection the draft of a petition

to be sent to the Congress of the United States, asking them to empower the parishes of the State of Louisiana to apply the proceeds of sales of property of disloyal citizens for the purpose of redeeming the paper currency issued by them.

A motion to lay on the table being lost, the resolution was adopted by the following rising vote : ayes 39, nays 22.

There being an objection raised that no quorum voted, a call of the House was had, when seventy-eight members answered to their names, whereupon the President declared the resolution adopted.

The Convention then resumed its action on Mr. Thorpe's resolution of yesterday.

After a lengthy discussion, the resolution was put upon its passage and adopted by the following vote :

YEAS—MESSRS. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorkinski, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Payne J., Paine J. T., Pintado, Poynot, Pursell S., Schroeder, Schnurr, Smith, Spellicy, Stocker, Stiner, Taliaferro, Terry, Thorpe, Thomas, Wenck—58.

NAYS—Abell, Balch, Buckley, Campbell, Cutler, Decker, Dufresne, Edwards, Gastinel, Gruneberg, Heard, Howell, Knobloch, Mayer, Mendiverri, Montamat, Morris, Sullivan, Waters, Wells, Wilson—21.

The Convention then adjourned until 12 o'clock m., to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

SATURDAY, July 16, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members :

Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Burke, Campbell, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Gorkinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Montamat, Morris, Murphy M. W., Newell, Normand, O'Conner, Orr, Payne John, Pintado, Poynot, Purcell John, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Sullivan.

Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—79.

The minutes of yesterday's proceedings were read and adopted.

The president announced that he had appointed on the special committee, raised by Mr. Smith's resolution of yesterday relative to worthless currency, the following members, viz: Messrs. Smith, O'Conner, Balch, T. Cook and Poynot.

The president then laid before the Convention the resignation of Mr. J. T. Paine, which reads as follows:

NEW ORLEANS, July 16, 1864.

To the Secretary State Convention,

SIR: I hereby resign my seat in the State Constitutional Convention.

It seems to me that the session is being uselessly prolonged at a great expense to the public. I do not countenance the proceedings. Having received an appointment under the government, I wish to attend to my proper duties.

Respectfully,

I am your obedient servant,

J. T. PAINE.

Mr. Thorpe moved that Mr. J. T. Paine be expelled for the indignity offered the Convention in the language and address of his resignation.

Mr. Hills moved as a substitute for Mr. Thorpe's motion, that the sergeant-at-arms be sent for Mr. Paine, and that he be brought before the Convention. Lost.

The question having recurred upon the adoption of Mr. Thorpe's motion, that gentleman, with the consent of his second, (Mr. Stocker,) withdrew his motion, when the same was immediately renewed by Mr. Harnan.

Mr. Wilson then offered the following as a substitute:

Resolved, That J. T. Paine, of East Feliciana, is an unfit person to receive any employment from the government, on account of the disrespect offered to this Convention.

The substitute was lost on the following vote on the question of its adoption:

YEAS—Messrs. Austin, Burke, Collin, Cook T., Davies, Dupaty, Ennis, Flagg, Flood, Foley, Gorkinski, Gaidry, Harnan, Newell, Normand, Schroeder, Seymour, Smith, Taliaferro, Thorpe, Thomas, Wells, Wilson—23.

NAYS—Messrs. Abell, Barrett, Beauvais, Bell, Bennie, Buckley, Cook J. K., Crozat, Cutler, Duane, Dufresne, Edwards, Fish,

Fuller, Gastinel, Geier, Gruneberg, Healy, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Montamat, Morris, Murphy M. W., O'Conner, Orr, Pintado, Poynot, Purcell J., Pursell S., Schnurr, Shaw, Spellicy, Stocker, Stumpf, Stiner, Sullivan, Terry, Waters, Wenck—50.

The question was about to be put on the adoption of Mr. Harnan's motion to expel, when Mr. Henderson raised a point of order to the effect that Mr. Harnan's motion was out of order, since no charges had been preferred, and, under parliamentary law and the rules governing this Convention, Mr. Paine had a right to be heard, which point of order was sustained by the President, who refused to entertain the motion.

Mr. Sullivan was called to the chair.

Mr. Terry offered the following resolution:

"Resolved, That the sum of one hundred dollars be appropriated out of the general fund of the State, not otherwise appropriated, to each of the clergy who have officiated during the session of the convention.

Previous to any action on Mr. Terry's resolution, a motion to adjourn was made and carried, whereupon the chair declared the Convention adjourned until 12 o'clock, M., on Monday, 18th inst.

Approved.

JOHN E. NEELLS.

Secretary.

MONDAY, July 18, 1864

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, President, and the following members:

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorkinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—84.

Messrs. Crozat and Bofill were excused.

The minutes of yesterday's proceedings were read and adopted.

Mr. Montamat was called to the chair. The president took the floor and made a personal explanation relative to his remarks of Friday last, on the decision of Hon. W. W. Handlin, late judge of the Third District Court of New Orleans, on the emancipation question.

Mr. Abell rose to a question of privilege, and stated that he had received a communication of an extraordinary character, and believing it to be a breach of privilege, he wished to lay it before the Convention, and for that purpose asked that it might be read by the secretary, which was accordingly done as follows :

[*Confidential.*]

NEW ORLEANS, July 15th, 1864.

E. ABELL, Esq.,

Dear sir : I entertain so strong an aversion to the incorporation into the "organic law" of the words "white," "black" and "color," that I am induced in this confidential note, (accompanied by a proposed "rider") to ask you to consider the propriety of altering the language of certain portions of the new constitution, so as to harmonize with the principle contained in this proposed "rider." Many members of the Convention have had the kindness to say to the governor and myself, that they will do what they can to expunge the obnoxious words from the militia and educational bills, before the question of final adoption, as a whole, comes up.

Very respectfully yours,

A. P. DOSTIE.

Art. —. The Legislature shall provide for the education of all children of the State, between the ages of six and eighteen years, by maintenance of free public schools.

Art. —. A university, composed of a law school, a medical school and a collegiate school, combining therewith the State seminary of learning, shall be established and maintained.

Art. —. All moneys arising from grants, donations, or other sources, for educational purposes, shall be and remain a perpetual fund, the interest of which, at seven per cent. per annum, shall be appropriated exclusively to said purposes.

Mr. Thomas offered the following resolution :

Resolved, That the adjutant general shall receive a salary at the rate of three thousand dollars per annum from the time of his entering into office and until otherwise provided by law.

Adopted.

The president laid before the Convention the following explanation from Mr. J. T. Paine :

NEW ORLEANS, LA., July 18th, 1864.

To the president and members of the State Constitutional Convention :

In explanation of my communication of July 10th, I have to say that it was designed to be presented to the Convention *through* the secretary, and not *to* the secretary for action.

In apologizing for the inadvertency, allow me to say that I mean no disrespect to the Convention or any member of it.

I again respectfully tender my resignation as a member of the Convention, and urge that it may be accepted.

Respectfully,

I am your obedient servant,

J. T. PAINE.

On motion to accept Mr. Paine's resignation, a division was had—yeas 17, nays 49. Therefore the resignation was rejected.

Mr. Smith offered the following :

In view of the different degrees of blood in that portion of the population of Louisiana, denominated "colored," comprehending the pure African to those apparently white, it becomes imperative on this Convention that it should define as clearly as possible, the status of a "colored" person.

Therefore be it resolved, That a committee of five, of which the honorable president shall be chairman, be appointed by the chair, to take this matter into consideration, and to report by resolution or otherwise, at the earliest opportunity to this Convention, defining what degree of blood shall constitute a "person of color."

A motion to adopt was lost, therefore the resolution was rejected.

Mr. Balch offered the following :

Resolved, That the sum of five hundred dollars is hereby appropriated to Judge J. N. Carrigan, State Librarian, for services rendered by him in furnishing books and documents to this Convention.

Adopted by a rising vote—yeas 38, nays 22.

Mr. Terry offered the following :

Whereas, It is desirable that the work of this Convention should be completed without unnecessary delay, be it

Resolved, That all motions relating to the adoption of the constitution or any part thereof, shall be put to vote without debate.

Laid on the table.

On motion of Mr. Austin, the following resolution was taken up and passed, viz :

Resolved, That the members of this Convention, who went to Baltimore as delegates, be entitled to their per diem pay.

Mr. Shaw, chairman of the Special Committee on Form and Arrangement, submitted a written report, together with a printed copy of the constitution as reported.

Mr. Abell moved to fix the report of the committee for Thursday next.

A motion to lay on the table being lost, the yeas and nays were demanded on the adoption of Mr. Abell's motion, resulting as follows :

YEAS—Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Buckley, Burke, Collin, Cook J. K., Cutler, Decker, Dufresne, Dupaty, Edwards, Gastinel, Gruneberg, Healy, Harnan, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Murphy M. W., Normand, O'Conner, Orr, Pintado, Schroeder, Schnurr, Seymour, Shaw, Stumpf, Sullivan, Thomas, Waters, Wenck—40.

NAYS—Messrs. Balch, Cazabat, Cook T., Davies, Duane, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorlinski, Hart, Heard, Henderson, Hills, Hire, Howes, Mann, Morris, Murphy E., Newell, Ong, Payne J., Poynot, Pursell S., Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Wells, Wilson—37.

The motion was therefore adopted and the report made the order of the day for next Thursday, 21st inst.

Mr. Bell offered a resolution relative to extra compensation of certain officers of this Convention, which, on motion of Mr. Healy, was laid on the table.

Mr. Austin introduced the following preamble and resolutions :

Whereas, The perpetuity of our national government is now imperiled by a stupendous rebellion against the constitution and laws of our common country, originated, supported and carried on by wicked and designing men, for the purpose of establishing a despotic oligarchy, based upon human slavery, an institution reprobated and abhorred by the civilized world and common humanity :

And whereas, The stability of republican institutions, as well as the liberties of the people, requires that the government of the United States should be preserved intact, and its laws executed throughout the whole domain ;

And whereas, The period of election for president and vice-president of the United States is now approaching and near at hand ; therefore, be it

Resolved, That owing to the existing rebellion and the present condition of our national affairs, any change in the policy of the executive department of the government will embarrass and delay the vigorous prosecution of the war, and be productive of the most disastrous results.

Be it further resolved, That we recognize in Abraham Lincoln a wise president, true patriot and able statesman, who has been tried in the scales and not found wanting, whose past administration is a credit to himself and an honor to the country, and whose policy for the suppression of the rebellion meets our entire approbation. That we also recognize in Andrew Johnson a wise statesman, endowed with wisdom, patriotism, and integrity, and in every way most worthy of the full confidence of the people ; therefore,

Be it further resolved, That we most cordially endorse the action of the National Convention lately held at Baltimore, and will give to the nominees thereof our hearty support, and use every honorable means to secure their election.

Upon the adoption of the foregoing preamble and resolutions, the yeas and nays were ordered and the following vote taken :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Burke, Cazabat, Cook, J. K., Cook, T., Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorlinski, Healy, Harnan, Henderson, Hills, Hire, Howes, Mann, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—60.

NAYS—Messrs. Abell, Balch, Buckley, Collin, Cutler, Decker, Dufresne, Gastinel, Gruneberg, Hart, Heard, Howell, Kavanagh, Knobloch, Maas, Maurer, Mayer, Mendiverri, Ong, Waters—20.

Mr. Thorpe offered the following :

AN ORDINANCE TO PROVIDE FOR AN ELECTION TO FILL VACANCIES IN THE REPRESENTATION OF THE STATE OF LOUISIANA IN THE XXXVIIITH CONGRESS.

Section 1. *Be it ordained by the people of the State of Louisiana in Convention assembled*, That an election shall be held by the qualified electors of the State of Louisiana on the first Monday of September, 1864, for Representatives in the Congress of the United States of America, to fill the vacancies now existing in the XXXVIIITH Congress, and to serve until the end of the term of the said Congress.

Sec. 2. *Be it further ordained*, That until otherwise directed by law the State shall

be divided into five Congressional Districts as follows, and the qualified electors of each District shall choose one representative:

The First Congressional District shall comprise the parishes of St. Bernard and Plaquemines, the right bank of the parish of Orleans, the Ninth, Eighth, Seventh, Sixth, Fifth Representative Districts of the parish of Orleans, and that portion of the Fourth Representative District of the parish of Orleans which is included between St. Louis, Rampart and Canal streets, and the Lake Pontchartrain.

The Second Congressional District shall comprise that portion of the Fourth Representative District of the parish of Orleans, which is included between St. Louis, Rampart and Canal streets and the Mississippi river; the Third, Second and First Representative Districts of the parish of Orleans, and that portion of the Tenth Representative District of the parish of Orleans which is known and designated by existing statutes as the Tenth Ward of the city of New Orleans.

The Third Congressional District shall comprise that part of the Tenth Representative District of the parish of Orleans which is known and designated as the Eleventh Ward of the city of New Orleans; and the parishes of Jefferson, Washington, St. Tammany, St. Helena, Livingston, St. Charles, St. John the Baptist, St. James, Ascension, East Baton Rouge, East Feliciana, West Feliciana, Terrebonne and Lafourche.

The Fourth Congressional District shall comprise the parishes of Natchitoches, Sabine, Rapides, Calcasieu, St. Landry, Vermillion, Avoyelles, Point Coupée, Lafayette, St. Martin, West Baton Rouge, Iberville, Assumption and St. Mary.

The Fifth Congressional District shall comprise the parishes of Bossier, Claiborne, Union, Morehouse, Carroll, Bienville, Jackson, Ouachita, Caldwell, Franklin, Madison, Tensas, Concordia, Catahoula, Winn, Caddo and DeSoto.

Sec. 3. *Be it further ordained*, That the several officers of the State, authorized by law to hold elections, or in default thereof, such officers as the governor shall designate or authorize, shall open and hold polls in the several Congressional Districts of the State, to choose representatives as aforesaid. At the conclusion of the said election, the officers and commissioners presiding over the same shall carefully examine and count each ballot as deposited, and shall forthwith make due return thereof to the secretary of state in conformity to the provisions of law and usages in regard to elections.

Sec. 4. *Be it further ordained*, That upon the receipt of said returns, or on the third Monday of September, if the returns be not

sooner received, it shall be the duty of the governor, jointly with the secretary of state and the judge of one of the district courts of the State, in the presence of all such persons as may choose to attend, to proceed to ascertain from the said returns, the persons duly elected, a certificate of which shall be entered on record by the secretary of state, and signed by the governor, and a copy thereof, subscribed as aforesaid, shall be delivered to the person so elected, and another copy transmitted to the House of Representatives of the Congress of the United States, directed to the speaker thereof.

Sec. 5. *Be it further ordained*, That this ordinance shall be in force and take effect from and after its passage, and shall have the force and effect of a statute of the State.

Done in Convention, at the city of New Orleans, on the — day of July, 1864.

Ordered to be printed and made the order of the day for Wednesday next.

On motion of Mr. Abell, the Convention adjourned until Wednesday next, at 12 o'clock m.

Approved.

JOHN E. NEELIS,
Secretary.

WEDNESDAY, July 20, 1864.

The Convention met pursuant to adjournment. Present, the Hon. E. H. Durell, President, and the following members:

Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Collin, Cazabat, Cook J. K., Cook Terrence, Crozat, Cutler, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healey, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendi-verri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne John, Pintado, Poynot, Purcell John, Pursell Sam'l., Shroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—82.

The minutes of last Monday's proceedings were read and adopted.

Mr. Smith, chairman of the Special Committee on Worthless Paper Currency, submitted the following report:

NEW ORLEANS, July 18, 1864.

To the honorable president and members of the Constitutional Convention of Louisiana:

GENTLEMEN—The undersigned, a committee appointed by your honorable body for the purpose of taking into consideration the propriety of providing for the redemption of a worthless paper currency, issued and forced upon the poor and only loyal class of the population of Louisiana since the outbreak of the rebellion, by private individuals, as well as by corporations and parochial authorities in the different sections and localities of the State, most respectfully beg leave to report that we have duly weighed the subject matter contained in the resolution submitted to our consideration, and being fully convinced that some action should be taken in the matter by this Convention, beg leave to offer the following article as the result of our deliberations, to be incorporated as one of the ordinances of the constitution :

Art. —. That the property of all individuals, firms and companies, the taxable property situated in all villages, towns, cities and parishes, shall be liable and held responsible for the redemption in current funds of the United States, for all notes issued as a circulating medium during the present rebellion, to the extent of the amount issued by such individual, firm, company, village, town, city or parish respectively, recoverable before any court of competent jurisdiction, in due process of law.

CHARLES SMITH,
JOS. H. BALCH,
O. H. POYNOT,
TERENCE COOK,
P. K. O'CONNER.

Mr. Burke moved to reject the report, which motion was carried on a rising vote, ayes 40, nays 20.

Mr. Cazabat moved to suspend the rules for the purpose of adopting the constitution as a whole without further debate. No action taken.

A call of the House was ordered, when eighty members answered to their names.

Mr. Cutler offered the following resolution :

Resolved, That the sum of one thousand dollars be and the same is hereby appropriated out of any moneys in the treasury of the State not otherwise appropriated, for the purpose of paying the secretary of this Convention and his two assistants, for extra services rendered this Convention, and that the same be paid on their own warrants, as follows : To John E. Neelis, secretary, five hundred dollars ; to S. G. Hamilton and Philip Winfree, assistant secretaries, two hundred and fifty dollars each.

Mr. Montamat offered the following amendment :

Be it further resolved, That the sum of two hundred and fifty dollars be and is hereby appropriated from the general funds in the State treasury not otherwise appropriated, to L. O. Maureau, warrant clerk, payable on his own warrant, as extra compensation for extra services rendered.

Mr. Cutler having accepted the amendment, the resolution was adopted as amended.

Mr. Henderson moved to reconsider the vote of Monday last, fixing the report of the Committee on Form and Arrangement for Thursday.

A motion to lay on the table was lost by a rising vote of 36 ayes to 42 nays.

The question on the motion to reconsider was then put and lost.

Mr. Thorpe's ordinance providing for an election to fill the vacancies in the representation of the State, in the thirty-eighth Congress of the United States, was then taken up.

Mr. Henderson being temporarily in the chair, motions were made first to lay on the table and second to adopt. Amidst much confusion the temporary president declared the question carried ; but many members enquiring what the question was, which the chair declared carried, and he failing to inform the Convention, the president resumed the chair.

Mr. Abell moved to amend the second section, by striking out all after the word Orleans in the seventh line, and inserting in the sixth line the word "and fourth," after the word "fifth," so as to include the whole of the Fourth Representative District of the parish of Orleans.

Laid on the table by a rising vote—yeas 43, nays 32.

After a lengthy discussion, on motion of Mr. Cutler, the question was postponed until Saturday next.

The Convention then adjourned until 12 o'clock m., to-morrow.

Approved.

JOHN E. NEELIS,

Secretary.

THURSDAY, July 21, 1864.

The Convention met pursuant to adjournment, and was called to order by the president. The secretary called the roll and the following members answered to their names :

Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Grunenberg, Gaidry, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howell, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiwerri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Purcell John, Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—86.

The minutes of yesterday's proceedings were read and adopted.

The order of the day being the report of the Special Committee on Form and Arrangement of the Constitution was taken up, and the reading of the constitution began, with a view to its adoption as a whole. The president suggested that the secretary, in reading the constitution, should pause at the close of each article, when members desiring to offer riders would have opportunity to do so.

Mr. Cazabat moved to adopt the constitution as a whole, without further delay. No action.

The preamble being read, Mr. Henderson offered the following substitute, as a rider :

We, the representatives of the people of the State of Louisiana in Convention assembled, do define the boundaries of said State to be as follows : Beginning at the mouth of the river Sabine, thence by a line to be drawn along the middle of said river, including all its islands, to the thirty-second degree of latitude, thence due north to the northernmost part of the thirty-third degree of north latitude ; thence along the said parallel of latitude to the river Mississippi ; thence down the said river to the river Iberville and from thence along the middle of said river and Lakes Maurapas and Pontchartrain to the Gulf of Mexico ; thence bounded by the said Gulf to the place of beginning including all islands within three

leagues of the coast, and do ordain and establish this constitution.

A motion to reject the rider being made, after some discussion, Mr. Hills moved the previous question, which being ordered, the question was put, and Mr. Henderson's rider was rejected.

The secretary then proceeded with the reading of the constitution, and upon reading article seven, Mr. Cutler moved to strike out the words "with safety to the electors," in the eighth line on the second page.

Carried.

Mr. Shaw moved to amend the twelfth article, by striking out the word "four" and substituting the word "five," and also by striking out the word "three" in the third line from the bottom, and substitute therefor the word "four," in the second line from the bottom on page four, thereby giving to the city of New Orleans nine instead of seven senators.

In article 14, Mr. Cutler moved to strike out the word "six" and substitute the word "three," making the parochial residence required of voters three instead of six months.

Mr. Stauffer moved to reject, which motion being lost, on a rising vote of yeas 35, nays 42, Mr. Cutler's rider was then adopted.

Mr. Shaw moved to amend article 22, by striking out "thirty-four," and substituting "thirty-six," so as to make the number of senators thirty-six ; and in the last line of said article, by striking out seven and substituting nine, so as to make the proviso read "that no parish be entitled to more than nine senators." Adopted.

Mr. Shaw also moved to strike out in the second line of article 23, the words "thirty-four," and substitute the words "thirty-six," so as to make said article correspond with the previous amendments. Carried.

In article 44, Mr. Foley moved to strike out "ten" and insert "five," so as to make the necessary residence in the qualifications for governor five years.

Mr. Flood moved to substitute two years, which being lost, Mr. Foley's amendment was then adopted.

Mr. Henderson moved to amend article 47, by striking out in the fourth line, the

word "residue," and inserting the word "remainder," in lieu thereof. Rejected.

In article 67, Mr. Cutler moved to strike out the words "free white men," and substitute therefor the words "all able-bodied men of the State."

Adopted on a rising vote—yeas 51, nays 18.

Mr. Smith offered the following rider :

All able-bodied male residents between the ages of eighteen and forty-five years, (except subjects or citizens of foreign powers who have never voted in the United States nor declared their intention to become citizens,) shall be enrolled in the militia, and subject to military service, according to law.

Laid on the table.

Mr. Cutler moved to strike out all that part of article 67 after the word "defence," in the second line; which motion was adopted on a rising vote of 58 yeas to 11 nays.

When article 79 was read, Mr. Sullivan offered the following as a rider :

And that the judges of the Supreme Court be elected by the people for a term of eight years. Also that the judges of the inferior courts be elected by the people of their several Districts for a term of six years, and that it shall be the duty of the Legislature to fix the time for holding elections for all judges, at a time which shall be different from that fixed for all other elections.

On a motion to adopt, the question was put, and Mr. Sullivan's rider was rejected.

Mr. Henderson offered the following rider to article 106 :

All persons shall be bailable, by sufficient sureties, except for capital offences, where the proof is evident or presumption great; and this right of bail shall take place on appeal to the Supreme Court.

On motion the rider was rejected.

Mr. Cazabat moved to strike out the whole of article 116.

Mr. Davies moved to strike out all after the words "gambling houses," in the second line of said article.

Laid on the table.

Mr. Cazabat moved to strike out all of said article after the word "tickets."

On motion of Mr. Sullivan the motion was laid on the table.

Mr. Austin renewed Mr. Cazabat's motion to strike out the whole article.

Laid on the table.

Upon article 117 being read, Mr. Stauffer moved to strike out all after the word "divorces."

Laid on the table.

In article 122, Mr. Smith moved to insert after the word "be" in the second line, the word "not." Lost.

Article 123 was read, and a motion to strike out the words "except that of Justice of the Peace." Lost.

When article 130 was read, Mr. Hills moved to strike out the word "majority" and insert the words "two-thirds," so as to require a two-thirds vote of the General Assembly to remove the seat of government.

On motion of Mr. Wenck, Mr. Hills' amendment was laid on the table by a rising vote—yeas 40; nays 26.

A motion to take a recess of fifteen minutes being lost, the reading of the constitution was resumed.

Mr. Cazabat moved to amend article 133, by adding after the words "following rates" in the last line on page 20, the words "until otherwise provided by law." Lost.

Messrs. Cutler and Cazabat moved to strike out all of said article after the word "duties,"—

After some discussion, Mr. Cutler with the consent of his second, withdrew his motion.

Mr. Sullivan moved to strike out the first, second and third lines of article 134. Laid on the table.

Mr. Terry moved to strike out the word "may" and substitute "shall" in the first line of said article. A motion to lay on the table was made. Upon which motion the yeas and nays were ordered, resulting as follows :

YEAS—Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bennie, Burke, Campbell, Cazabat, Crozat, Cutler, Davies, Decker, Edwards, Ennis, Fish, Flagg, Fuller, Gastinel, Gruneberg, Heard, Henderson, Kavanagh, Knobloch, Kugler, Mann, Mayer, Newell, Normand, Ong, Pintado, Pursell, Sam'l., Schnurr, Seymour, Shaw, Stumpf, Stiner, Stauffer, Taliaferro, Wenck, Wells, Wilson—42.

NAYS—Bell, Boffill, Buckley, Collin, Cook J. K., Cook Terrance, Duane, Dufréne, Flood, Foley, Fosdick, Geier, Gor-

linski, Gaidry, Healy, Harnan, Hart, Hills, Hire, Howes, Maas, Maurer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., O'Conner, Orr, Payne John, Poynot, Schroder, Smith, Spellicy, Stocker, Sullivan, Terry, Thorpe, Thomas, Waters—40.

Mr. Terry's rider was therefore laid on the table.

Mr. Wells moved to strike out the whole of title 9; upon which motion the yeas and nays were ordered, and the following vote was taken:

YEAS—Austin, Beauvais, Bennie, Crozat, Cutler, Decker, Edwards, Fish, Flagg, Fuller, Heard, Kavanagh, Kugler, Mann, Newell, Ong, Pursell S., Seymour, Shaw, Taliaferro, Thorpe, Wenck, Wells, Wilson—24.

NAYS—Abell, Barrett, Baum, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Davies, Duane, Dufresne, Duke, Dupaty, Ennis, Flood, Foley, Fosdick, Gastinel, Geier, Gorlinski, Gruneberg, Gaidry, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Knobloch, Maas, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Schroeder, Schnurr, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thomas, Waters—60.

Mr. Wells' motion was therefore lost.

The previous question was ordered, and title 9 adopted.

Upon a motion to adjourn, the yeas and nays were ordered, and the following vote taken:

YEAS—Campbell, Collin, Cook J. K., Dufresne, Dupaty, Flagg, Gaidry, Harnan, Knobloch, Mayer, Mendiverri, Murphy M. W., Newell, O'Conner, Orr, Pintado—16.

NAYS—Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Cazabat, Cook T., Crozat, Cutler, Davies, Decker, Duane, Edwards, Ennis, Fish, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Montamat, Morris, Murphy E., Normand, Ong, Payne J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—66.

Article 136 was read, when Mr. Hills moved to strike out "four" and insert "five," and also to add, "until otherwise provided by law," so as to make the article read: "His salary shall be five thousand dollars per annum, until otherwise provided by law."

A motion to lay on the table being lost, Mr. Hills' rider was adopted.

Mr. Stauffer moved as a rider to article 137, to strike out all that part of the article following the word "State."

A motion to lay on the table being lost, Mr. Stauffer's rider was adopted.

Mr. Campbell offered the following rider to article 137, viz:

Provided, That the city of New Orleans shall comprise one internal improvement and drainage district, and appropriations made for that purpose shall be paid into the treasury of the city of New Orleans.

Mr. Sullivan moved to lay on the table, which motion was carried on a rising vote, yeas 46, nays 21.

Article 140 was read. Mr. Terry moved to insert after the word "receive," in the third line, the words "a compensation of three thousand five hundred dollars per annum."

Laid on the table.

Mr. Beauvais moved to amend by substituting five thousand dollars as the salary of the superintendent of public education.

Lost.

Mr. Fish moved to insert after the word receive, the words "a salary of four thousand dollars per annum."

A motion to lay on the table being lost, Mr. Fish's rider was then adopted.

On motion of Mr. Hills, the words "such compensation as the Legislature may direct," was stricken out in order to make said article harmonize with the foregoing amendment.

Carried.

The Convention then adjourned until 12 M., to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

FRIDAY, July 22, 1864.

The Convention met, pursuant to adjournment. Present, the Hon. E. H. Durell, president, and the following members:

Messrs. Abell, Austin, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick,

Fuller, Gastinel, Geier, Gorlinski, Gaidry, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—84.

The minutes of yesterday's proceedings were read and adopted.

The President arose to a question of privilege, and called the attention of the Convention to a scurrilous article published in the newspaper called the *New Orleans Times*, of this date, which he declared to be a libel against himself and this Convention, whereupon Mr. Stauffer offered the following resolution :

Resolved, That the sergeant-at-arms be ordered to take immediate possession of the paper called the *New Orleans Times*, and that the publication of the paper be suspended until its responsible editor, Thomas P. May, Esq., appear before this Convention and purge himself of the libel he has published in the issue of this date regarding the proceedings of this Convention of the 21st of July, 1864.

Mr. Hills moved to lay the resolution on the table, whereupon the yeas and nays were ordered, with the following result :

YEAS—Abell, Baum, Bofill, Buckley, Campbell, Cazabat, Decker, Dufresne, Edwards, Ennis, Fish, Fosdick, Gastinel, Gorlinski, Gruneberg, Hart, Heard, Hills, Kavanagh, Knobloch, Mann, Maurer, Morris, Murphy E., Murphy M. W., Ong, Orr, Poynot, Shaw, Stumpf, Sullivan, Waters—32.

NAYS—Austin, Barrett, Beauvais, Bell, Bennie, Burke, Collin, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Flagg, Flood, Foley, Fuller, Geier, Healy, Harnan, Henderson, Hire, Howes, Kugler, Maas, Mayer, Montamat, Newell, Normand, O'Conner, Payne J., Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stiner, Stauffer, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—47.

The motion to lay on the table was therefore lost.

Mr. Cutler offered the following substitute :

Resolved, That Thomas P. May, editor of the *New Orleans Times*, be brought before this Convention forthwith by the sergeant-at-arms, and that he be required to purge himself of the contempt and libel on this

body as published in the issue of July 22, 1864, or that he be otherwise dealt with as the Convention may deem proper and just.

On motion, Mr. Cutler's substitute was adopted.

On motion of Messrs. Cazabat and Smith, the order of the day was taken up and the final reading of the constitution resumed.

Mr. Terry offered the following rider to article 141 :

The Legislature shall provide for the education of all children of the State between the ages of six and eighteen years, by maintenance of free public schools by taxation or otherwise.

Mr. Sullivan moved to lay the rider on the table, on which motion the yeas and nays were taken, as follows :

YEAS—Messrs. Abell, Bofill, Buckley, Campbell, Crozat, Decker, Dufresne, Edwards, Fuller, Gastinel, Geier, Gruneberg, Heard, Henderson, Knobloch, Maas, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Newell, Normand, Ong, Orr, Pursell S., Sullivan, Thomas, Waters—29.

NAYS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Burke, Collin, Cazabat, Cook J. K., Cook T., Cutler, Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Gorlinski, Healy, Harnan, Hart, Hills, Hire, Howes, Kavanagh, Kugler, Mann, Maurer, Murphy E., O'Conner, Payne J., Poynot, Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Wells, Wilson—50.

Consequently the motion to table was lost.

On the motion to adopt the rider it was carried by the following vote, the yeas and nays being ordered and taken :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Geier, Gorlinski, Healey, Harnan, Henderson, Hills, Hire, Howes, Kavanagh, Mann, Maurer, Murphy E., Newell, Normand, O'Conner, Payne J., Poynot, Purcell J., Schroeder, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Thomas, Wells, Wilson—53.

NAYS—Messrs. Abell, Bofill, Buckley, Campbell, Decker, Dufresne, Edwards, Fuller, Gastinel, Gruneberg, Hart, Heard, Knobloch, Kugler, Maas, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Ong, Orr, Pursell S., Schnurr, Seymour, Sullivan, Waters—27.

Mr. Terry's rider was therefore adopted.

Upon article 143 being read, Mr. Smith moved to strike out the words "in the city of New Orleans, and insert the words "by the Legislature."

Laid on the table.

Mr. Foley moved to strike out the whole of article 146.

Mr. Smith moved to lay that motion on the table, upon which a rising vote was had, resulting in yeas 54, nays 12.

The motion to lay on the table was therefore carried.

In article 147 Mr. Bofill moved to strike out in line third, the words "two-thirds" and insert the words "a majority."

Adopted.

In article 154, Mr. Shaw moved to strike out the words "without hostile molestation or interference." Adopted.

The last reading being at length concluded, the question was put on the adoption of the constitution of the State of Louisiana as a whole, whereupon the yeas and nays were ordered, and the following vote taken :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Burke, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorlinski, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Mann, Maurer, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Payne J., Poynot, Purcell J., Pursell S., Shroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson and Mr. President—66.

NAYS—Messrs. Abell, Bofill, Buckley, Decker, Dufresne, Gastinel, Gruneberg, Gaidry, Knobloch, Maas, Mayer, Mendiverri, Orr, Stumpf, Sullivan, Waters—16.

Upon Mr. Mendiverri's name being called by the secretary, that gentleman submitted his reasons for voting as he did, in writing, which reasons were ordered to be published in the debates of this Convention.

Previous to the vote being declared, Mr. Hills moved that the president be requested to cast his vote. Carried.

Mr. Hills also moved that all members who were absent at the time of taking this vote be requested to record their votes.

Mr. Thomas moved to amend by inserting the word "required" instead of "re-

quested," which being accepted, Mr. Hills' motion was adopted.

Mr. Newell presented the following written authorization from Mr. Taliaferro, which was read :

NEW ORLEANS, July 22, 1864.

I hereby authorize John A. Newell, of Rapides, to cast my vote in the affirmative on the adoption of the constitution as a whole.

R. W. TALIAFERRO.

Mr. Newell then requested permission to record the vote of Mr. Taliaferro, which being granted, it was recorded in the affirmative.

The President then declared the foregoing vote, after which he cast his own vote in the affirmative.

He then declared the constitution of the State of Louisiana adopted as a whole on its final reading.

Mr. Montamat moved that the Committee on Enrollment be instructed to have the constitution duly enrolled by 12 o'clock m., to-morrow.

Carried.

The president announced that in accordance with the requirements of article 155 of the constitution just adopted, he had selected as the three papers in which the said constitution shall be published, the True Delta and The Era, to publish the same in English and French, and the German Gazette, to publish the same in the German language.

The Convention then adjourned until 12 o'clock m., to-morrow.

Approved.

JOHN E. NEELIS,
Secretary.

SATURDAY, July 22, 1864.

The Convention met, pursuant to adjournment, and was called to order by the president. After prayer by the Rev. Mr. Strong, the secretary called the roll, and following members answered to their names :

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Cutler, Davies, Decker, Duane, Dufresne, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy,

Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Newell, Normand, O'Conner, Ong, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Taliaferro, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—82.

Messrs. Crozat, Bofill and Knobloch were excused for non-attendance.

In obedience to a resolution of yesterday, the sergeant-at-arms presented Thomas P. May, Esq., at the bar of the Convention. The president, having read the resolutions passed on the day previous, asked Mr. May what reply he had to make. Thereupon that gentleman read the following paper :

"I am here with the provost marshal to obey a military order issued by Major Gen. Banks, and not in obedience to a resolution of this Convention. At the proper time, in the proper place, and in pursuance of the forms of law, I will answer to any charge made against me and my paper, the Times."

Mr. Henderson moved that Mr. May's answer be considered an additional contempt.

Mr. Abell moved an indefinite postponement of the whole matter.

Upon a motion to lay Mr. Abell's motion on the table the yeas and nays were ordered and the following vote taken :

YEAS—Messrs. Austin, Barrett, Beauvais, Bell, Bennie, Burke, Collin, Cook T., Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Flagg, Flood, Foley, Fuller, Healy, Harnan, Hart, Henderson, Hire, Howes, Maas, Mann, Murphy E., Newell, Normand, O'Conner, Payne J., Poynot, Pursell S., Schroeder, Schnurr, Seymour, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Taliaferro, Terry, Thomas, Wells, Wilson—47.

NAYS—Messrs. Abell, Balch, Baum, Buckley, Campbell, Cazabat, Cook J. K., Decker, Dufresne, Fish, Fosdick, Geier, Gorlinski, Gruneberg, Heard, Hills, Maurer, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Ong, Orr, Pintado, Purcell J., Shaw, Sullivan, Thorpe, Waters, Wenck—31.

Mr. Abell's motion was therefore laid on the table. After some discussion the previous question was ordered, and Mr. Henderson's motion adopted.

At the request of Mr. Abell the president read the following order of Gen. Banks :

HEADQUARTERS DEPARTMENT OF THE GULF, }
New Orleans, 23d July, 1864. }

The provost marshal general is directed, upon receipt of this order, to take such measures as may be necessary to enable Mr. De Coursey, sergeant-at-arms of the Constitutional Convention, to bring before that Convention Thomas P. May, Esq., assistant treasurer of the United States, and proprietor and publisher of the New Orleans Times newspaper, to answer to that body for an infringement of its privileges as a representative assembly of the people of Louisiana.

This order will be executed immediately.

N. P. BANKS,
Maj. Gen. Commanding.

OFFICIAL :

W. W. HOWE,
Major and A. A. A. Gen.

Mr. Thomas offered the following preamble and resolutions :

Whereas, Thos. P. May, Esq., editor and proprietor of the newspaper called the New Orleans Times, published in the city of New Orleans, has, within the past six months published articles in said paper which, in the opinion of this Convention, were disloyal in their sentiments to the government, and many of which were in contempt of this Convention, and

Whereas, In the issue of said paper of the 22d of July, a gross libel was published upon the president and members of this Convention, and upon being brought to the bar thereof has refused to purge himself in any manner of said libel and contempt, therefore be it

Resolved, That Thos. P. May, Esq., for his said contempt, committed upon the president and members of this Convention, in publishing in said newspaper said libel, shall be imprisoned in the Parish Prison of the Parish of Orleans for the space of ten days, unless this Convention sooner adjourns; and that the sergeant-at-arms be directed and authorized to carry this resolution into effect.

Be it further Resolved, That the military authorities of this department be respectfully requested by this Convention to suppress the publication of said newspaper.

Re it further Resolved, That the President of the United States be respectfully requested by this Convention to remove the said Thos. P. May, Esq., from the office of assistant treasurer of the United States in New Orleans that he now holds.

Mr. Terry moved the previous question, upon which the yeas and nays were called and the resolution adopted by the following vote :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bennie, Burke, Collin, Cook

J. K., Cook T., Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Flagg, Flood, Foley, Fuller, Healey, Hart, Henderson, Hire, Howes, Maas, Maurer, Murphy E., Newell, Normand, O'Conner, Payne J., Poynot, Pursell J., Pursell S., Schnurr, Seymour, Smith, Spellicy, Stocker, Stiner, Stauffer, Taliaferro, Terry, Thorpe, Thomas, Wenck, Wells, Wilson—49.

NAYS—Messrs. Abell, Balch, Buckley, Campbell, Cazabat, Decker, Dufresne, Fish, Fosdick, Gastinel, Geier, Gorlinski, Grunenberg, Harnan, Heard, Hills, Kavanagh, Mann, Mayer, Mendiverri, Montamat, Morris, Murphy M. W., Ong, Orr, Pintado, Schroeder, Shaw, Stumpf, Sullivan, Waters—31.

The president then directed the secretary to furnish the sergeant-at-arms with a copy of the resolution, who was asked to carry it into effect.

Mr. Thorpe's ordinance for redistricting the State into congressional districts was taken up and passed. Mr. Thorpe also offered the following, which was adopted :

Resolved, That until otherwise fixed by the Legislature, the salary of the private secretary of the governor shall be twenty-five hundred dollars per annum, and the salary of the chief clerk of the secretary of state shall be two thousand dollars per annum, payable by the auditor of public accounts, quarterly, on their own warrants, and to take effect from the 4th of March, 1864.

Mr. Thomas offered the following resolution, which was adopted :

Resolved, That all bills, indebtedness and unsettled accounts of this Convention accruing at, or after its adjournment, shall be referred to a special auditing committee, to be composed of five members to be appointed by the president. No bills shall be paid without being examined, audited and approved by a majority of said committee ; and bills so audited and approved shall be paid on the warrant of the president on the treasurer of the State, out of any moneys in the treasury of the State not otherwise appropriated.

The president appointed on the committee, raised by Mr. Thomas's resolution, the following members, viz: Messrs. Thomas, Montamat, Barrett, Crozat and Buckley.

Mr. Wells offered the following :

Resolved, That the reporters of this Convention each receive from the funds in the public treasury not otherwise appropriated, the sum of five hundred dollars, as extra compensation for their arduous labor during this Convention, and for the necessary work to be performed after the adjourn-

ment of this body—said sums to be drawn upon their own warrants.

Mr. Montamat offered the following substitute :

Resolved, That the following employees of the Convention shall receive the following compensation, to be paid out of the funds of contingent expenses of this Convention :

Sergeant-at-arms,.....	\$200 00
Chief of Enrolling Clerks,.....	100 00
Enrolling Clerks, (each).....	100 00
Postmaster,.....	50 00
Doorkeeper,.....	100 00
Messengers, (each).....	25 00
Reporter and assistants, (each)....	200 00

Mr. Stiner offered the following amendment, which was accepted by Mr. Montamat :

Resolved, That the sum of two hundred and fifty dollars, each, be paid to Messrs. Matthew Whilldin and J. N. Russ, reporters, for services rendered to this Convention.

The resolution as amended was then adopted.

Mr. Abell offered the following :

Whereas, During the absence of the official reporter the duty of reading and revising the manuscripts and proofs, the compilation of the debates and other duties of the position, have been performed under the direction of the president, by H. A. Gallup, Esq., assistant reporter, in addition to his duties as such—

Resolved, That for such services so rendered H. A. Gallup receive, in addition to his salary as assistant reporter, the same compensation as is provided for the official reporter for such time as may be found due by the president, to be paid on the warrant of the president out of any money in the treasury not otherwise appropriated.

Adopted by a rising vote of 45 yeas to 15 nays.

Mr. Waters moved that each of the reporters of this Convention receive \$500. Carried.

Mr. Thorpe moved that each of the porters receive \$100.

Mr. Sullivan moved that the door-keeper and post-master, each, receive \$150.

The President remarked that these motions were somewhat out of order, as they were merely verbal and made no provision for the manner in which they should be paid. It would, therefore, be better to present them in proper form, which being assented to, Mr. Waters reduced his to writing, as follows :

Resolved, That the reporters of this Con-

vention receive five hundred dollars each, out of any moneys in the treasury not otherwise appropriated, payable on their own warrant.

Adopted.

Mr. Thorpe, chairman of the Committee on Enrollment, reported that the Constitution, as enrolled, was in his hands, but not having had time to read and compare it, he would reserve until Monday's session, when submit the constitution for signature.

The Convention then adjourned until Monday, 25th inst., at 12 o'clock, m.

Approved,

JOHN E. NEELIS,

Secretary.

MONDAY, July 25, 1864.

The Convention met pursuant to adjournment, and was called to order by the president. The secretary called the roll, and the following members answered to their names:

Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook J. K., Cook T., Crozat, Cutler, Davies, Decker, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Gastinel, Geier, Gorlinski, Gruneberg, Healy, Harnan, Hart, Heard, Henderson, Hills, Hire, Howes, Kavanagh, Knobloch, Kugler, Maas, Mann, Maurer, Mendiverri, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Orr, Payne J., Pinto, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—80.

The day's proceedings were then opened with prayer by the Rev. Mr. Strong.

The minutes of yesterday's proceedings were read and adopted.

Mr. Cutler offered the following resolution as a substitute for and in lieu of the appropriations and resolutions for extra compensation of officers and others of this Convention, passed on Saturday last, viz:

Resolved, That the following named officers of this Convention, and others, receive as extra compensation the following sums from the treasury of the State, on the warrant of the president, from money not otherwise appropriated:

To Hon. J. N. Carrigan, state	
librarian.....	\$500 00
To each of the reporters.....	500 00

To the sergeant-at-arms.....	500 00
To each of the deputy sergeants-at-arms.....	100 00
To the post-master.....	150 00
To the door-keeper.....	300 00
To the chief enrolling clerk.....	100 00
To each enrolling clerk.....	100 00
To each messenger.....	50 00
To three porters, each.....	50 00
To four policemen, each.....	100 00
To J. N. Russ, of the State Gazette, M. Whildin and T. H. Draper, of the True Delta, (reporters,) each.....	250 00

The previous question being ordered, the resolution was adopted by the following rising vote: yeas 61, nays 7.

Mr. Fish offered the following preamble and resolutions:

Whereas, A Convention, claiming to act in the name of the State of Louisiana, did, on the 26th day of January, 1861, pass an ordinance entitled "An ordinance to dissolve the union between the State of Louisiana and other States united with her under the compact entitled 'The Constitution of the United States of America,' " therein declaring and ordaining the repeal of "all laws and ordinances by which the State of Louisiana became a member of the Federal Union," and absolving "her citizens from all allegiance to said Government;"

And whereas, Such ordinance of secession was based upon an unfounded assumption of State sovereignty, and a perverted theory of State rights, and brought about in the interest of slavery; therefore, be it

Resolved, That we, the people of Louisiana in Convention assembled, do solemnly denounce the doctrines of "State Rights" and State sovereignty (interpreted as they have been into a justification of secession) as utterly subversive of our form of government, and tending to confusion, anarchy and national destruction.

Resolved, That we hold and maintain that our primary allegiance is due to the government of the United States; that the constitution and laws of the United States are the supreme law of the land, anything in the constitution or laws of any State to the contrary notwithstanding; that no State convention, whether fairly representing the people or not, has any right, power or authority to absolve us from that allegiance, and that, consequently, the act commonly called the "Ordinance of Secession" is, and has always been, null and void.

Resolved, That having legally abolished the institution of slavery in this State, as an evil in itself and a constant source of national disturbance and danger, and desiring for the same reasons to see it le-

gally abolished throughout the country, we are in favor of so amending the constitution of the United States as to secure this object.

Adopted by the following vote :

YEAS—Messrs. Austin, Barrett, Baum, Beauvais, Bell, Bofill, Buckley, Burke, Campbell, Collin, Cazabat, Cook T., Crozat, Cutler, Davies, Duane, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Gorlinski, Healy, Harnan, Hart, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Mann, Maurer, Montamat, Morris, Murphy E., Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Sullivan, Terry, Thorpe, Thomas, Waters, Wenck, Wells, Wilson—68.

NAYS—Messrs. Abell, Balch, Decker, Dufresne, Gruneberg, Maas, Mendiverri, Murphy M. W.—8.

Mr. Thomas offered the following :

AN ORDINANCE DEFINING THE QUALIFICATIONS OF VOTERS.

SECTION 1. *Be it ordained by the people of the State of Louisiana in Convention assembled*, That until otherwise provided by law, all commissioners, or other officers or persons presiding over elections held in this State, shall require that each voter shall possess the qualifications defined in the constitution as adopted and submitted by this Convention, and shall have declared his allegiance to the United States government according to the provisions of the president's proclamation of December the 8th, 1863.

SEC. 2. *Be it further ordained*, That the executive officers of the State be charged with the execution of this ordinance, and the providing of such details and instructions as may be necessary to carry the same into effect.

SEC. 3. *Be it further ordained*, That this ordinance shall have the force and effect of law from and after its passage until hereafter repealed or modified by the Legislature of the State.

Adopted by a rising vote of yeas 60, nays 9.

Mr. Fosdick offered the following :

Whereas, The adoption of article 36 of the constitution, excluding ministers of every persuasion or calling from a seat in the Legislature of this State is liable to a misconstruction, be it therefore

Resolved, That the adoption of said article was intended solely to separate the holy calling of the ministry from the arena of politics, believing by such a course we are furthering the true interests of the gospel.

Resolved, That the sum of \$1000 be paid on the warrant of the president of this Convention out of any moneys in the State treasury not otherwise appropriated, to be by him distributed among the clergy who have officiated by prayer during the session of this Convention.

Mr. Montamat moved to lay the resolution on the table, on which question the yeas and nays were ordered, resulting as follows :

YEAS — Messrs. Collin, Davies, Dupaty, Edwards, Gastinel, Healy, Harnan, Hart, Kugler, Montamat, Murphy M. W., Normand, Schnurr, Seymour, Stocker, Stumpf, Sullivan, Waters, Wenck—19.

NAYS — Messrs. Abell, Austin, Balch, Barrett, Baum, Beauvais, Bell, Bennie, Bofill, Buckley, Burke, Campbell, Cazabat, Cook T., Crozat, Cutler, Decker, Duane, Dufresne, Duke, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Gorlinski, Gruneberg, Henderson, Hills, Hire, Howes, Kavanagh, Maas, Mann, Maurer, Mendiverri, Morris, Murphy E., O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Shaw, Smith, Spellicy, Stiner, Stauffer, Terry, Thorpe, Thomas, Wells, Wilson—58.

The motion to lay on the table being lost, Mr. Stauffer offered the following substitute for Mr. Fosdick's resolution :

Resolved, That the thanks of this Convention are due, and hereby tendered, to those ministers of the gospel who have officiated during its sessions.

A motion to lay Mr. Stauffer's substitute on the table was made, and a rising vote being taken, resulted—yeas 29, nays 29, and there being a tie the president cast his vote in the affirmative, therefore Mr. Stauffer's substitute was laid on the table.

Mr. Fosdick's resolution was then adopted on a rising vote—yeas 56, nays 20.

Mr. Shaw offered the following resolution :

Resolved, That such officers and employees of the Convention as may be necessary for the completion of its work shall, after adjournment, be under the direction of the chairman of the Committee of Enrollment and the president of the Convention, and the services of all officers and employees not required by said president or chairman, or either of them, shall have power to discharge any of said officers for want of promptness, or on account of the completion of their work.

Resolved, That after adjournment any of the Standing Committees may perform such duties as may have been assigned them by

the rules or resolutions of the Convention, and which may be necessary for winding up and perfecting the work of the Convention, and the president shall require any such duties to be performed by such committees if deemed by him necessary in case of their neglect.

Adopted.

Mr. Cutler offered the following :

Resolved, That the salary of the clerk of the treasurer and the chief clerk of the auditor of public accounts of the State of Louisiana, shall be three thousand dollars per annum, until otherwise provided by law. This resolution to take effect from its passage.

Laid on the table.

Mr. Cutler offered the following resolution :

Resolved. That when this Convention adjourns, it shall be at the call of the president, whose duty it shall be to reconvoke the Convention for any cause, or in case the Constitution should not be ratified, for the purpose of taking such measures as may be necessary for the formation of a civil government for the State of Louisiana. He shall also, in that case, call upon the proper officers of the State to cause elections to be held to fill any vacancies that may exist in the Convention, in parishes where the same may be practicable.

Resolved, That in case of the ratification of the Constitution, it shall be in the power of the Legislature of the State, at its first session, to reconvoke the Convention, in like manner, in case it should be deemed expedient or necessary, for the purpose of making amendments or additions to the Constitution that may, in the opinion of the Legislature, require a reassembling of the Convention, or, in case of the occurrence of any emergency, requiring its action.

Resolved, That no per diem of members shall be allowed during the adjournment.

The previous question was ordered and the following vote taken on the adoption of the resolution :

YEAS—Messrs. Austin, Balch, Barrett, Baum, Beauvais, Bell, Burke, Collin, Cazabat, Cook T., Crozat, Cutler, Davies, Duane, Dufresne, Duke, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fuller, Geier, Gorkinski, Gruneberg, Hart, Henderson, Hire, Howes, Kavanagh, Kugler, Maas, Mann, Maurer, Morris, Murphy E., Normand, O'Conner, Orr, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stumpf, Stiner, Stauffer, Terry, Thorpe, Thomas, Waters, Wells, Wilson—62.

NAYS—Messrs. Abell, Boffill, Buckley,

Campbell, Decker, Fosdick, Gastinel, Healy, Hills, Mendiverri, Montamat, Murphy M. W., Sullivan, Wenck—14.

The resolution was therefore adopted.

On motion of Mr. Thorpe, the state librarian was directed to furnish each member with fifty copies each of the Minutes, the Journal of Debates and Constitution, as soon as the same shall have been printed.

Mr. Thorpe, chairman of the Committee on Enrollment, presented the constitution of the State of Louisiana duly enrolled, which was then signed by the President.

The following members signed the Constitution :

Messrs. Austin, Barrett, Baum, Beauvais, Bell, Burke, Collin, Cazabat, Cook T., Crozat, Cutler, Davies, Duane, Dupaty, Edwards, Ennis, Fish, Flagg, Flood, Foley, Fosdick, Fuller, Geier, Gorkinski, Healy, Hart, Henderson, Hills, Hire, Howes, Kavanagh, Kugler, Mann, Maurer, Montamat, Morris, Murphy E., Murphy M. W., Normand, O'Conner, Payne J., Pintado, Poynot, Purcell J., Pursell S., Schroeder, Schnurr, Seymour, Shaw, Smith, Spellicy, Stocker, Stiner, Stauffer, Terry, Thorpe, Thomas, Wenck, Wells, Wilson.

The following members declined to sign the same, viz : Messrs. Abell, Balch, Boffill, Buckley, Campbell, Decker, Dufresne, Duke, Gastinel, Gruneberg, Knobloch, Maas, Mendiverri, Orr, Stumpf, Sullivan and Waters.

The remaining members were absent or did not answer to their names when called.

On declining to sign, Mr. Mendiverri submitted the following reasons therefor : "Under my honest convictions of what is politic, just and right, I cannot sign this constitution."

Mr. Boffill also submitted his reasons for not signing, in writing, which were ordered to be published in the journal of debates.

On motion of Mr. Thorpe, the constitution was ordered to be deposited in the office of the secretary of state, in order that members who were absent to-day, might affix their signatures thereto.

Mr. Shaw being in the chair, Mr. Fosdick offered the following :

Resolved, That the thanks of this Convention are eminently due, and are hereby tendered to the Hon. E. H. Durell, for the courteous, just and dignified manner with which he has presided over our deliberations.

The resolution was unanimously adopted.

The president having resumed the chair, Mr. Shaw informed him of the will of the Convention, and read the resolution which had been adopted with such unanimity, to which the President replied by returning his thanks to the Convention in a most feeling and appropriate manner.

His Excellency Governor Hahn being present was called upon and delivered an able and interesting address to the Con-

vention, after which the proceedings were closed with an appropriate prayer by the Rev. Dr. Newman.

The Convention then adjourned subject to the call of the president, in pursuance of the resolutions this day adopted.

E. H. DURELL,
President Convention.

JOHN E. NEELIS.
Secretary.

CONSTITUTION OF THE STATE OF LOUISIANA.

ADOPTED IN CONVENTION, JULY 23, 1864.

PREAMBLE.

We, the people of the State of Louisiana, do ordain and establish this Constitution.

TITLE I.

EMANCIPATION.

Article 1. Slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are hereby forever abolished and prohibited throughout the State.

Art. 2. The Legislature shall make no law recognizing the right of property in man.

TITLE II.

DISTRIBUTION OF POWERS.

Art. 3. The powers of the government of the State of Louisiana shall be divided into three distinct departments, and each of them shall be confined to a separate body of magistracy, to-wit: those which are legislative to one, those which are executive to another, and those which are judicial to another.

Art. 4. No one of these departments, nor any person holding office in one of them, shall exercise power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

TITLE III.

LEGISLATIVE DEPARTMENT.

Art. 5. The legislative power of the State shall be vested in two distinct branches, the one to be styled "the House of Representatives," the other "the Senate," and both "the General Assembly of the State of Louisiana."

Art. 6. The members of the House of Representatives shall continue in service for the term of two years from the day of the closing of the general elections.

Art. 7. Representatives shall be chosen on the first Monday in November every two years, and the election shall be completed in one day. The General Assembly shall meet annually on the first Monday in January, unless a different day be appointed by law, and their sessions shall be held at

the seat of government. There shall also be a session of the General Assembly in the city of New Orleans, beginning on the first Monday of October, eighteen hundred and sixty-four; and it shall be the duty of the governor to cause a special election to be held for members of the General Assembly, in all the parishes where the same may be held, on the day of the election for ratification or rejection of this Constitution—to be valid in case of ratification; and in other parishes or districts he shall cause elections to be held as soon as it may become practicable, to fill the vacancies for such parishes or districts in the General Assembly. The term of office of the first General Assembly shall expire as though its members had been elected on the first Monday of November, eighteen hundred and sixty-three.

Art. 8. Every duly qualified elector under this constitution shall be eligible to a seat in the General Assembly: *Provided*, that no person shall be a representative or senator unless he be, at the time of his election, a duly qualified voter of the representative or senatorial district from which he is elected.

Art. 9. Elections for the members of the General Assembly shall be held at the several election precincts established by law.

Art. 10. Representation in the House of Representatives shall be equal and uniform, and shall be regulated and ascertained by the number of qualified electors. Each parish shall have at least one representative. No new parish shall be created with a territory less than six hundred and twenty-five square miles, nor with a number of electors less than the full number entitling it to a representative; nor when the creation of such new parish would leave any other parish without the said extent of territory and number of electors. The first enumeration by the State authorities, under this constitution, shall be made in the year eighteen hundred and sixty-six, the second in the year eighteen hundred and seventy, the third in the year eighteen hundred and seventy-six; after which time the General Assembly shall direct in what manner the

census shall be taken, so that it be made at least once in every period of ten years for the purpose of ascertaining the total population, and the number of qualified electors in each parish and election district; and in case of informality, omission or error, in the census returns from any district, the the Legislature shall order a new census taken in such parish or election district.

Art. 11. At the first session of the Legislature after the making of each enumeration, the Legislature shall apportion the representation amongst the several parishes and election districts on the basis of qualified electors as aforesaid. A representative number shall be fixed, and each parish and election district shall have as many representatives as the aggregate number of its electors will entitle it to, and an additional representative for any fraction exceeding one-half the representative number. The number of representatives shall not be more than one hundred and twenty, nor less than ninety.

Art. 12. Until an apportionment shall be made, and elections held under the same, in accordance with the first enumeration to be made, as directed in article 10, the representation in the Senate and House of Representatives shall be as follows:

For the parish of Orleans, forty-four representatives, to be elected as follows:

First Representative District.....	3
Second do.	5
Third do.	7
Fourth do.	3
Fifth do.	4
Sixth do.	2
Seventh do.	3
Eighth do.	3
Ninth do.	4
Tenth do.	8
Orleans, Right Bank.....	2
For the parish of Livingston.....	1

do. St. Tammany.....	1
do. Pointe Coupée.....	1
do. St. Martin.....	2
do. Concordia.....	1
do. Madison.....	1
do. Franklin.....	1
do. St. Mary.....	1
do. Jefferson.....	3
do. Plaquemines.....	1
do. St. Bernard.....	1
do. St. Charles.....	1
do. St. John the Baptist.....	1
do. St. James.....	1
do. Ascension.....	1
do. Assumption.....	3
do. Lafourche.....	3
do. Terrebonne.....	2
do. Iberville.....	1
do. West Baton Rouge.....	1
do. East Baton Rouge.....	2
do. West Feliciana.....	1
do. East Feliciana.....	1

For the Parish of Washington.....	1
do. St. Helena.....	1
do. Vermillion.....	1
do. Lafayette.....	2
do. St. Landry.....	4
do. Calcasieu.....	2
do. Avoyelles.....	2
do. Rapides.....	3
do. Natchitoches.....	2
do. Sabine.....	1
do. Caddo.....	2
do. DeSoto.....	2
do. Ouachita.....	1
do. Union.....	2
do. Morehouse.....	1
do. Jackson.....	2
do. Caldwell.....	1
do. Catahoula.....	2
do. Claiborne.....	3
do. Bossier.....	1
do. Bienville.....	2
do. Carroll.....	1
do. Tensas.....	1
do. Winn.....	2

Total.....118

And the State shall be divided into the following senatorial districts: All that portion of the parish of Orleans lying on the left bank of the Mississippi river shall be divided into two senatorial districts; the First and Fourth Districts of the city of New Orleans shall compose one district and shall elect five senators; and the Second and Third Districts of said city shall compose the other district, and shall elect four senators.

The parishes of Plaquemines, St. Bernard and all that part of the parish of Orleans on the right bank of the Mississippi river shall form one district, and shall elect one senator.

The parish of Jefferson shall form one district, and shall elect one senator.

The parishes of St. Charles and Lafourche shall form one district, and shall elect one senator.

The parishes of St. John the Baptist and St. James shall form one district, and shall elect one senator.

The parishes of Ascension, Assumption and Terrebonne shall form one district, and shall elect two senators.

The parish of Iberville shall form one district, and shall elect one senator.

The parish of East Baton Rouge shall form one district, and shall elect one senator.

The parishes of West Baton Rouge, Point Coupée and West Feliciana shall form one district, and shall elect two senators.

The parish of East Feliciana shall form one district, and shall elect one senator.

The parishes of Washington, St. Tammany, St. Helena and Livingston shall form one district, and shall elect one senator.

The parishes of Concordia and Tensas shall form one district, and shall elect one senator.

The parishes of Madison and Carroll shall form one district, and shall elect one senator.

The parishes of Morehouse, Ouachita, Union and Jackson shall form one district, and shall elect two senators.

The parishes of Catahoula, Caldwell and Franklin, shall form one district, and shall elect one senator.

The parishes of Bossier, Bienville, Claiborne and Winn shall form one district, and shall elect two senators.

The parishes of Natchitoches, Sabine, DeSoto and Caddo shall form one district, and shall elect two senators.

The parishes of St. Landry, Lafayette and Calcasieu shall form one district, and shall elect two senators.

The parishes of St. Martin and Vermillion shall form one district, and shall elect one senator.

The parish of St. Mary shall form one district, and shall elect one senator.

The parishes of Rapides and Avoyelles shall form one district, and shall elect two senators.

Art. 13. The House of Representatives shall choose its speaker and other officers.

Art. 14. Every white male who has attained the age of twenty-one years, and who has been a resident of the State twelve months next preceding the election, and the last three months thereof in the parish in which he offers to vote, and who shall be a citizen of the United States, shall have the right of voting.

Art. 15. The Legislature shall have power to pass laws extending suffrage to such other persons, citizens of the United States, as by military service, by taxation to support the government, or by intellectual fitness, may be deemed entitled thereto.

Art. 16. No voter, on removing from one parish to another within the State, shall lose the right of voting in the former until he shall have acquired it in the latter. Electors shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at, going to, or returning from elections.

Art. 17. The Legislature shall provide by law that the names and residence of all qualified electors shall be registered in order to entitle them to vote; but the registry shall be free of cost to the elector.

Art. 18. No pauper, no person under interdiction, nor under conviction of any crime punishable with hard labor, shall be entitled to vote at any election in this State.

Art. 19. No person shall be entitled to vote at any election held in this State except in the parish of his residence, and, in cities and towns divided into election precincts, in the election precinct in which he resides.

Art. 20. The members of the Senate shall be chosen for the term of four years. The

Senate, when assembled, shall have the power to choose its own officers.

Art. 21. The Legislature, in every year in which they apportion representation in the House of Representatives, shall divide the State into senatorial districts.

Art. 22. No parish shall be divided in the formation of a senatorial district, the parish of Orleans excepted. And whenever a new parish shall be created, it shall be attached to the senatorial district from which most of its territory was taken, or to another contiguous district, at the discretion of the Legislature; but shall not be attached to more than one district. The number of senators shall be thirty-six; and they shall be apportioned among the senatorial districts according to the electoral population contained in the several districts: *Provided*, that no parish be entitled to more than nine senators.

Art. 23. In all apportionments of the Senate, the electoral population of the whole State shall be divided by the number thirty-six, and the result produced by this division shall be the senatorial ratio entitling a senatorial district to a senator. Single or contiguous parishes shall be formed into districts, having a population the nearest possible to the number entitling a district to a senator; and if in the apportionment to make a parish or district fall short of or exceed the ratio, then a district may be formed having not more than two senators, but not otherwise. No new apportionment shall have the effect of abridging the term of service of any senator already elected at the time of making the apportionment. After an enumeration has been made as directed in the 10th article, the Legislature shall not pass any law until an apportionment of representation in both Houses of the General Assembly be made.

Art. 24. At the first session of the General Assembly, after this constitution takes effect, the senators shall be equally divided by lot, into two classes; the seats of the senators of the first class shall be vacated at the expiration of the term of the first House of Representatives; of the second class at the expiration of the term of the second House of Representatives; so that one-half shall be chosen every two years, and a rotation thereby kept up perpetually. In case any district shall have elected two or more senators, said senators shall vacate their seats respectively at the end of the term aforesaid, and lots shall be drawn between them.

Art. 25. The first election for senators shall be held at the same time that the election for representatives is held; and thereafter there shall be elections of senators at the same time with each general election of representatives, to fill the places of those

senators whose term of service may have expired.

Art. 26. Not less than a majority of the members of each House of the General Assembly shall form a quorum to do business; but a smaller number may adjourn from day to day, and shall be authorized by law to compel the attendance of absent members.

Art. 27. Each House of the General Assembly shall judge of the qualifications, elections and return of its members; but a contested election shall be determined in such a manner as shall be directed by law.

Art. 28. Each House of the General Assembly may determine the rules of its proceeding, punish a member for disorderly behavior, and, with a concurrence of two-thirds, expel a member; but not a second time for the same offence.

Art. 29. Each House of the General Assembly shall keep and publish weekly a journal of its proceedings; and the yeas and nays of the members on any question shall, at the desire of any two of them, be entered on the journal.

Art. 30. Each House may punish, by imprisonment, any person not a member, for disrespectful and disorderly behavior in its presence, or for obstructing any of its proceedings. Such imprisonment shall not exceed ten days for any one offence.

Art. 31. Neither House, during the sessions of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Art. 32. The members of the General Assembly shall receive from the public treasury a compensation for their services, which shall be eight dollars per day, during their attendance, going to and returning from the sessions of their respective Houses. The compensation may be increased or diminished, by law, but no alteration shall take effect during the period of service of the members of the House of Representatives by whom such alteration shall have been made. No session shall extend to a period beyond sixty days, to date from its commencement, and any legislative action had after the expiration of the said sixty days, shall be null and void. This provision shall not apply to the first Legislature which is to convene after the adoption of this constitution.

Art. 33. The members of the General Assembly shall in all cases, except treason, felony, breach of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses, and going to or returning from the same; and for any speech or debate in either House shall not be questioned in any other place.

Art. 34. No senator or representative

shall, during the term for which he was elected, nor for one year thereafter, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during the time such senator or representative was in office, except to such offices as may be filled by the election of the people.

Art. 35. No person, who at any time may have been a collector of taxes, whether State, parish or municipal, or who may have been otherwise entrusted with public money, shall be eligible to the General Assembly, or to any office of profit or trust, under the State government, until he shall have obtained a discharge for the amount of such collections, and for all public moneys with which he may have been entrusted.

Art. 36. No person, while he continues to exercise the functions of a clergyman of any religious denomination whatever, shall be eligible to the General Assembly.

Art. 37. No bill shall have the force of a law until, on three several days, it be read over in each House of the General Assembly, and free discussion allowed thereon; unless in case of urgency, four-fifths of the House, where the bill shall be pending, may deem it expedient to dispense with this rule.

Art. 38. All bills for raising revenue, shall originate in the House of Representatives; but the Senate may propose amendments, as in other bills: *Provided*, they shall not introduce any new matter, under the color of an amendment, which does not relate to raising revenue.

Art. 39. The General Assembly shall regulate, by law, by whom, and in what manner, writs of election shall be issued to fill the vacancies which may happen in either branch thereof.

Art. 40. The Senate shall vote on the confirmation or rejection of the officers, to be appointed by the governor with the advice and consent of the Senate, by yeas and nays; and the names of the senators voting for and against the appointments, respectively, shall be entered on a journal to be kept for that purpose, and made public at the end of each session, or before.

Art. 41. Returns of all elections for members of the General Assembly shall be made to the secretary of state.

Art. 42. In the year in which a regular election for a senator of the United States is to take place, the members of the General Assembly shall meet in the hall of the House of Representatives on the second Monday following the meeting of the Legislature, and proceed to said election.

TITLE IV.

EXECUTIVE DEPARTMENT.

Art. 43. The supreme executive power

of the State shall be vested in a chief magistrate, who shall be styled the governor of the State of Louisiana. He shall hold his office during the term of four years, and, together with the lieutenant governor, chosen for the same term, be elected as follows: The qualified electors for representatives shall vote for governor and lieutenant governor at the time and place of voting for representatives; the returns of every election shall be sealed up and transmitted by the proper returning officer to the secretary of state, who shall deliver them to the speaker of the House of Representatives on the second day of the session of the General Assembly then to be holden. The members of the General Assembly shall meet in the House of Representatives to examine and count the votes. The person having the greatest number of votes for governor shall be declared duly elected; but if two or more persons shall be equal and the highest in the number of votes polled for governor, one of them shall immediately be chosen governor by joint vote of the members of the General Assembly. The person having the greatest number of votes polled for lieutenant governor shall be lieutenant governor; but if two or more persons shall be equal and highest in the number of votes polled for lieutenant governor, one of them shall be immediately chosen lieutenant governor by joint vote of the members of the General Assembly.

Art. 44. No person shall be eligible to the office of governor or lieutenant governor who shall not have attained the age of thirty-five years, and been a citizen and resident within the State for the period of five years next preceding his election.

Art. 45. The governor shall enter on the discharge of his duties on the second Monday of January next ensuing his election, and shall continue in office until the Monday next succeeding the day that his successor shall be declared duly elected, and shall have taken the oath or affirmation required by the constitution.

Art. 46. No member of Congress, minister of any religious denomination, or any person holding office under the United States government, shall be eligible to the office of governor or lieutenant governor.

Art. 47. In case of impeachment of the governor, his removal from office, death, refusal or inability to qualify, resignation or absence from the State, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term, or until the governor, absent or impeached, shall return or be acquitted. The Legislature may provide by law for the case of removal, impeachment, death, resignation, disability or refusal to qualify, of both the governor and the lieutenant governor, declaring what officer shall act

as governor, and such officer shall act accordingly, until the disability be removed, or for the remainder of the term.

Art. 48. The lieutenant governor or officer discharging the duties of governor, shall, during his administration, receive the same compensation to which the governor would have been entitled had he continued in office.

Art. 49. The lieutenant governor shall, by virtue of his office, be president of the Senate, but shall have only a casting vote therein. Whenever he shall administer the government, or shall be unable to attend as president of the Senate, the senators shall elect one of their own members as president of the Senate for the time being.

Art. 50. The governor shall receive for his services a compensation of eight thousand dollars per annum, payable quarterly, on his own warrant.

Art. 51. The lieutenant governor shall receive for his services a salary of five thousand dollars per annum, to be paid quarterly.

Art. 52. The governor shall have power to grant reprieves for all offences against the State, and, except in cases of impeachment, shall, with the consent of the Senate, have power to grant pardons, remit fines and forfeitures, after conviction. In cases of treason, he may grant reprieves until the end of the next session of the General Assembly, in which the power of pardoning shall be vested.

Art. 53. He shall be commander-in-chief of the militia of this State, except when they shall be called into the service of the United States.

Art. 54. He shall nominate, and, by and with the advice and consent of the Senate, appoint all officers whose offices are established by the constitution, and whose appointments are not herein otherwise provided for: *Provided*, however, that the Legislature shall have a right to prescribe the mode of appointment to all other offices established by law.

Art. 55. The governor shall have power to fill vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of the next session thereof, unless otherwise provided for in this constitution; but no person who has been nominated for office and rejected by the Senate, shall be appointed to the same office during the recess of the Senate.

Art. 56. He may require information, in writing, from the officers in the executive department upon any subject relating to the duties of their respective offices.

Art. 57. He shall, from time to time, give to the General Assembly information respecting the situation of the State, and recommend to their consideration such measures as he may deem expedient.

Art. 58. He may, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place if that should have become dangerous from an enemy, or from epidemic; and, in case of disagreement between the two Houses as to the time of adjournment, he may adjourn them to such time as he may think proper, not exceeding four months.

Art. 59. He shall take care that the laws are faithfully executed.

Art. 60. Every bill which shall have passed both Houses shall be presented to the governor; if he approves, he shall sign it, if not, he shall return it with his objections to the House in which it originated, which shall enter the objections at large upon its journal, and proceed to consider it; if, after such consideration, two-thirds of all the members elected to that House shall agree to pass the bill, it shall be sent, with the objections, to the other House, by which it shall be likewise considered, and if approved by two-thirds of the members elected to that House, it shall be a law; but in such cases the vote of both Houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the governor within ten days (Sundays excepted) after it shall have been presented to him, it shall be a law in like manner as if he had signed it; unless the General Assembly, by adjournment, prevent its return.

Art. 61. Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on a question of adjournment, shall be presented to the governor, and before it shall take effect, be approved by him, or, being disapproved, shall be repassed by two-thirds of the members elected to each House of the General Assembly.

Art. 62. There shall be a secretary of state who shall hold his office during the term for which the governor shall have been elected. The records of the State shall be kept and preserved in the office of the secretary; he shall keep a fair register of the official acts and proceedings of the governor, and when necessary shall attest them; he shall, when required, lay the said register, and all papers, minutes and vouchers relative to his office, before either House of the General Assembly, and shall perform such other duties as may be enjoined on him by law.

Art. 63. There shall be a treasurer of the State, and an auditor of public accounts, who shall hold their respective offices during the term of four years.

Art. 64. The secretary of state, treasurer of state and auditor of public accounts shall be elected by the qualified electors of

the State; and in case of any vacancy caused by the resignation, death or absence of the secretary, treasurer or auditor, the governor shall order an election to fill said vacancy.

Art. 65. The secretary of state, the treasurer and the auditor shall receive a salary of five thousand dollars per annum each.

Art. 66. All commissions shall be in the name and by the authority of the State of Louisiana, and shall be sealed with the State seal and signed by the governor.

Art. 67. All able-bodied men in the State shall be armed and disciplined for its defence.

Art. 68. The militia of the State shall be organized in such manner as may be hereafter deemed most expedient by the Legislature.

TITLE V.

JUDICIARY DEPARTMENT.

Art. 69. The judiciary power shall be vested in a Supreme Court, in such inferior courts as the Legislature may, from time to time, order and establish, and in justices of the peace.

Art. 70. The Supreme Court, except in cases hereafter provided, shall have appellate jurisdiction only; which jurisdiction shall extend to all cases when the matter in dispute shall exceed three hundred dollars; to all cases in which the constitutionality or legality of any tax, toll or impost whatsoever, or of any fine, forfeiture or penalty imposed by a municipal corporation, shall be in contestation; and to all criminal cases on questions of law alone whenever the offence charged is punishable with death or imprisonment at hard labor, or when a fine exceeding three hundred dollars is actually imposed.

Art. 71. The Supreme Court shall be composed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The chief justice shall receive a salary of seven thousand five hundred dollars, and each of the associate justices a salary of seven thousand dollars, annually, until otherwise provided by law. The court shall appoint its own clerks.

Art. 72. The Supreme Court shall hold its sessions in New Orleans from the first Monday in the month of November to the end of the month of June, inclusive. The Legislature shall have the power to fix the sessions elsewhere during the rest of the year; until otherwise provided the sessions shall be held as heretofore.

Art. 73. The Supreme Court, and each of the judges thereof, shall have power to issue writs of *habeas corpus*, at the instance of all persons in actual custody under process, in all cases in which they may have appellate jurisdiction.

Art. 74. No judgment shall be rendered

by the Supreme Court without the concurrence of a majority of the judges comprising the court. Whenever the majority cannot agree, in consequence of the recusation of any member of the court, the judges not recused shall have power to call upon any judge or judges of the inferior courts, whose duty it shall be, when so called upon, to sit in the place of the judge or judges recused, and to aid in determining the case.

Art. 75. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be "the State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the State of Louisiana, and conclude against the peace and dignity of the same.

Art. 76. The judges of all courts within the State shall, as often as it may be advisable so to do, in every definitive judgment, refer to the particular law in virtue of which such judgment may be rendered, and in all cases adduce the reasons on which their judgment is founded.

Art. 77. The judges of all courts shall be liable to impeachment; but for any reasonable cause, which shall not be sufficient ground for impeachment, the governor shall remove any of them, on the address of a majority of the members elected to each House of the General Assembly. In every such case the cause or causes for which such removal may be required shall be stated at length in the address, and inserted in the journal of each House.

Art. 78. The judges both of the Supreme and inferior courts shall receive a salary which shall not be diminished during their continuance in office; and they are prohibited from receiving any fees of office or other compensation than their salaries for any civil duties performed by them.

Art. 79. The judges of the Supreme Court shall be appointed by the governor, by and with the advice and consent of the Senate, for a term of eight years; the judges of the inferior courts for a term of six years.

Art. 80. The clerks of the inferior courts shall be elected by the qualified voters of their several districts, and shall hold their offices during a term of four years.

Art. 81. The Legislature shall have power to vest in clerks of courts authority to grant such orders, and do such acts as may be deemed necessary for the furtherance of the administration of justice, and in all cases the powers thus granted shall be specified and determined.

Art. 82. The jurisdiction of justices of the peace shall not exceed, in civil cases, the sum of one hundred dollars, exclusive of interest, subject to appeal in such cases as shall be provided for by law. They shall be elected by the qualified voters of their several districts, and shall hold their office

during a term of two years. They shall have such criminal jurisdiction as shall be provided by law.

Art. 83. There shall be an attorney general for the State, and as many district attorneys as the Legislature shall find necessary. The attorney general shall be elected every four years, by the qualified voters of the State. He shall receive a salary of five thousand dollars per annum, payable on his own warrant quarterly. The district attorneys shall be elected by the qualified voters of their respective districts, for a term of four years. They shall receive such salaries as shall be provided by the Legislature.

Art. 84. A sheriff and a coroner shall be elected in each parish by the qualified voters thereof, who shall hold their offices for the term of two years. The Legislature shall have the power to increase the number of sheriffs in any parish. Should a vacancy occur in either of these offices subsequent to an election, it shall be filled by the governor, and the person so appointed shall continue in office until his successor shall be elected and qualified.

TITLE VI.

IMPEACHMENT.

Art. 85. The power of impeachment shall be vested in the House of Representatives.

Art. 86. Impeachments of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, auditor of public accounts, and the judges of the inferior courts, justices of the peace excepted, shall be tried by the Senate; the chief justice of the Supreme Court, or the senior judge thereof, shall preside during the trial of such impeachment. Impeachments of the judges of the Supreme Court shall be tried by the Senate. When sitting as a court of impeachment, the senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of a majority of the senators elected.

Art. 87. Judgments in case of impeachment shall extend only to removal from office, and disqualification from holding any office of honor, trust or profit under the State; but the convicted parties shall, nevertheless, be subject to indictment, trial and punishment, according to law.

Art. 88. All officers against whom articles of impeachment may be preferred, shall be suspended from the exercise of their functions during the pendency of such impeachment; the appointing power may make a provisional appointment to replace any suspended officer until the decision of the impeachment.

Art. 89. The Legislature shall provide by law for the trial, punishment, and removal from office of all other officers of the State by indictment or otherwise.

TITLE VII.

GENERAL PROVISIONS.

Art. 90. Members of the General Assembly and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation :

"I, (A B) do solemnly swear (or affirm) that I will support the constitution and laws of the United States, and of this State, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as —, according to the best of my abilities and understanding, so help me God!"

Art. 91. Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

Art. 92. The Legislature shall have power to declare the punishment of treason ; but no attainer of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

Art. 93. Every person shall be disqualified from holding any office of trust or profit, in this State, and shall be excluded from the right of suffrage, who shall have been convicted of treason, perjury, forgery, bribery or other high crimes or misdemeanors.

Art. 94. All penalties shall be proportioned to the nature of the offence.

Art. 95. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Art. 96. No money shall be drawn from the treasury but in pursuance of specific appropriation made by law ; nor shall any appropriation of money be made for a longer term than two years. A regular statement and account of the receipts and expenditures of all public moneys shall be published annually, in such manner as shall be prescribed by law.

Art. 97. It shall be the duty of the General Assembly to pass such laws as may be proper and necessary to decide differences by arbitration.

Art. 98. All civil officers for the State at large shall be voters of, and reside within the State ; and all district or parish officers shall be voters of, and reside within their respective districts or parishes, and shall keep their offices at such places therein as may be required by law.

Art. 99. All civil officers shall be removable by an address of a majority of the members elected to both Houses, except those the removal of whom has been otherwise provided by this constitution.

Art. 100. In all elections by the people, the vote shall be taken by ballot ; and in all elections by the Senate and House of Representatives, jointly or separately, the vote shall be given *viva voce*.

Art. 101. No member of Congress, nor person holding or exercising any office of trust or profit under the United States, or under any foreign power, shall be eligible as a member of the General Assembly, or hold or exercise any office of trust or profit under the State.

Art. 102. None but citizens of the United States shall be appointed to any office of trust or profit in this State.

Art. 103. The laws, public records, and the judicial and legislative written proceedings of the State, shall be promulgated, preserved, and conducted in the language in which the constitution of the United States is written.

Art. 104. No power of suspending the laws of this State shall be exercised, unless by the Legislature or by its authority.

Art. 105. Prosecutions shall be by indictment or information. The accused shall have a speedy public trial, by an impartial jury of the parish in which the offence shall have been committed. He shall not be compelled to give evidence against himself ; he shall have the right of being heard, by himself or counsel ; he shall have the right of meeting the witnesses face to face, and shall have compulsory process for obtaining witnesses in his favor. He shall not be twice put in jeopardy for the same offence.

Art. 106. All persons shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident or presumption great ; or, unless after conviction for any offence or crime punishable with death or imprisonment at hard labor. The privilege of the writ of *habeas corpus* shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require it.

Art. 107. Excessive bail shall not be required ; excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

Art. 108. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated ; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.

Art. 109. No *ex post facto* or retroactive law, nor any law impairing the obligations of contracts, shall be passed, nor vested rights be divested, unless for purposes of public utility, and for adequate compensation previously made.

Art. 110. All courts shall be open ; and

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